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**S t a t e o f C a l i f o r n i a**

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# Table of Contents

## Summary of Hazardous Waste Legislation 1995-96 Legislative Session

Introduction . . . . .	i
Acronyms . . . . .	ii
Assembly Bills . . . . .	1
Senate Bills . . . . .	13
Bill Subject Index . . . . .	21

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# Introduction

This summary identifies all hazardous waste legislation considered by the California Legislature during the 1995/96 Legislative Session. Hazardous waste legislation is legislation that affects hazardous waste or that directly or indirectly relates to the Department of Toxic Substances Control and its mission and various programs. In some instances, bills introduced as hazardous waste legislation were later amended to contain, in whole or in part, completely different subjects. These bills are also included in this summary, and are described in both their introduced form and in their subsequently amended form.

The summary lists the bills in numerical order. Bills may also be found by referring to the appropriate subject index (see Table of Contents). Bills that the Department of Toxic Substances Control sponsored are underlined. Bills noted as "Failed Passage" did not reach the Governor's desk for various reasons, such as failing to garner sufficient votes in policy or fiscal committees or the floor of either house, being held in committee, or not being advanced or pursued by the bills' authors.

Except for urgency, tax levy, election, and appropriation measures, which take effect upon date of signing, all statutes take effect on January 1<sup>st</sup> of the following year. Bills enacted during a special session (designated by an "x" after the bill number) take effect 91 days after the adjournment of the session at which the bill is passed.

Occasionally, different legislation contains amendments to the same section of law. The language from the bill that was chaptered last (the higher chapter number) is controlling and will be enacted.

*The DTSC 1995/96 Legislative Summary can also be obtained at DTSC's Internet address (<http://www.calepa.cahwnet.gov/dtsc.htm>), or through Cal/EPA ACCESS, a 24-hour, on-line, computer bulletin board service. If you have not logged onto Cal/EPA ACCESS before, dial (916) 322-5041. After a brief logon procedure, select the Department of Toxic Substances Control menu, then select Legislation.*

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# Acronyms

<b>AB</b>	Assembly Bill	<b>PBR</b>	Permit-by-Rule
<b>ARB</b>	Air Resources Board	<b>PCB</b>	Polychlorinated Biphenyls
<b>BOE</b>	Board of Equalization	<b>pH</b>	Units of measure of Acidity or Alkalinity
<b>Cal/EPA</b>	California Environmental Protection Agency	<b>POTW</b>	Publicly Owned Treatment Works
<b>CEQA</b>	California Environmental Quality Act	<b>RAPID</b>	Railroad Accident Prevention and Immediate Deployment Force
<b>CESQG</b>	Conditionally Exempt Small Quantity Generator	<b>RCRA</b>	Resource Conservation and Recovery Act
<b>CHP</b>	California Highway Patrol	<b>RMP</b>	Risk Management Plan
<b>CUPA</b>	Certified Unified Program Agency	<b>RMPP</b>	Risk Management and Prevention Program
<b>DHS</b>	Department of Health Services	<b>RP</b>	Responsible Party
<b>DFG</b>	Department of Fish and Game	<b>RSU</b>	Regulatory Structure Update
<b>DTSC</b>	Department of Toxic Substances Control	<b>RWQCB</b>	Regional Water Quality Control Board
<b>EIR</b>	Environmental Impact Report	<b>SB</b>	Senate Bill
<b>ERAP</b>	Expedited Remedial Action Program	<b>SWRCB</b>	State Water Resources Control Board
<b>HHW</b>	Household Hazardous Waste	<b>TCA</b>	Trade and Commerce Agency
<b>HML</b>	Hazardous Materials Laboratory	<b>TTU</b>	Transportable Treatment Unit
<b>HSA</b>	Hazardous Substances Account	<b>U.S. EPA</b>	United States Environmental Protection Agency
<b>HSC</b>	Health and Safety Code		
<b>HWCA</b>	Hazardous Waste Control Account		
<b>HWCL</b>	Hazardous Waste Control Law		
<b>IWMB</b>	California Integrated Waste Management Board		
<b>LDR</b>	Land Disposal Restriction		
<b>OAL</b>	Office of Administrative Law		
<b>OEHHA</b>	Office of Environmental Health Hazard Assessment		
<b>OES</b>	Office of Emergency Services		

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# Assembly Bills

## **AB 4      Bates - Public Access to Government Information (Failed Passage)**

AB 4 would have required the Office of Information Technology to work with all government agencies and members of the public to develop and implement a plan to make copies of computerized public information available to the public.

## **AB 42      Baca - Hazardous Materials Risk Management (Failed Passage)**

AB 42 would have revised the definition of the term Risk Management and Prevention Program (RMPP) to be the statewide acutely hazardous materials accident risk program prepared by OES, and would have defined the term "risk management plan" or "RMP" to be a plan prepared by a handler, and would have placed certain restrictions on public agencies from regulating handlers of acutely hazardous material pertaining to accident risk. AB 42 would also have placed requirements on OES to develop and adopt regulations for the preparation and submission of an RMP, and would have required OES to create a 7-member advisory panel to solicit advice and comments from when developing or adopting regulations. Finally, AB 42 would have allowed each administering agency to adopt a schedule of fees to be collected from each business submitting an RMP, including a surcharge of \$100 for OES.

## **AB 59      Sher - URGENCY - Solid Waste Management Facilities (Chapter 952, Statutes of 1995)**

Among other things, AB 59, an urgency statute, clarifies the enforcement jurisdiction of DTSC and IWMB at facilities that accept both hazardous wastes and solid wastes, and facilities which accept only solid waste (including asbestos wastes), and require specific California environmental regulatory agencies, including DTSC, to coordinate their compliance and enforcement activities with each other prior to initiating enforcement actions at solid waste disposal facilities.

## **AB 116      Speier - URGENCY - Legislative Reports (Chapter 970, Statutes of 1996)**

AB 116, an urgency statute, exempts state and local agencies from preparing and submitting any written report to the Legislature or the Governor until October 1, 1999, unless otherwise specified in the bill. The bill exempts reports required by a court, federal law or regulations or reports that are required by the Budget Act or are necessary for the preparation or implementation of the Budget Act, and any report specifically listed in the bill.

## **AB 141      Bowen - Public Records (Chapter 108, Statutes of 1995)**

AB 141 prohibits state and local agencies from providing their public records to private entities. The agencies may no longer provide the records in response to requests.

## **AB 142      Bowen - Electronic Public Records (Failed Passage)**

AB 142 would have required any agency that has public records in an electronic format to make the information available to any person in the same format at the actual cost of duplicating such records (e.g., duplicating disk-to-disk).

## **AB 165      Richter - Environmental Impact Reports (Failed Passage)**

AB 165 would have required the lead agency to notify a responsible agency or specified public agency when an environmental impact report on a project is required. Would have require the responsible or public agency, upon receipt of the notice, to specify to the lead agency the scope and content of the environmental information under its jurisdiction.

## **AB 177      Mountjoy - California Environmental Enhancement Act (Failed Passage)**

AB 177 would have required the Legislative Analyst to prepare and transmit to the Legislature a study of the effect of certain proposed legislation relative to air quality standards on businesses within the South Coast Air Quality Management District.



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**AB 204 Cannella - Above Ground Spill Reporting Requirements (Chapter 155, Statutes of 1995)**

AB 204 provides that spills from above ground storage tanks, which are now reportable to both OES and the local emergency response agency, need be made only to OES, which, in turn will notify the local agency. Makes a number of non-substantive technical, cross-referencing and formatting amendments to the hazardous liquid pipeline reporting requirements. AB 204 also limits the required reporting of hazardous substance releases under the state Superfund law to those that have occurred after January 1, 1994.

**AB 250 Baldwin - Suspension or Repeal of State Regulations (Failed Passage)**

AB 250 would have required the Secretary of Trade and Commerce, on or before January 1, 1997, to recommend to the Legislature the suspension or repeal of all state regulations determined by the Office and the Secretary to be more stringent than federal regulations on the same subject.

**AB 353 Richter - Revision of Recyclable Material Definition (Failed Passage)**

AB 353 would have revised the definition of recycled material to exclude an intermediate manufacturing process stream that is used onsite, on a continuous basis, as a raw material in the production of a commercial product (See AB 2088).

**AB 437 Morrow - Oil-Filled Electrical Equipment (Chapter 626, Statutes of 1995)**

AB 437 excludes oil-filled electrical equipment from the definition of storage tank in the California Aboveground Petroleum Storage Act. Oil-filled electrical equipment includes transformers, circuit breakers or capacitors that contain less than specified amounts of PCBs. AB 437 also revises specific definitions, makes certain other exclusions relative to the amounts of PCBs present in the dielectric fluid, and institutes inspection requirements to make this section of law similar to the federal program. Finally, AB 437 provides assurances that the all-encompassing provisions of the HSC Section 25270.3 cannot be utilized to loop oil-filled electrical equipment back into the existing state program.

**AB 450 Hauser - Use of Creosote Treated Wood (Failed Passage)**

Rather than ban the use of creosote treated wood in marine settings, AB 450 would have allowed persons to retain and maintain creosote treated wood pilings, bulkheads, bridges, trestles, and other similar structures which are in contact with the water which were in existence before January 1, 1996, and to proceed to install new or replacement structures made of creosote treated wood which had been approved prior to January 1, 1996, provided the application of creosote and the installation of the structures were consistent with the best management practices prescribed by a RWQCB and in compliance with Proposition 65.

**AB 468 Vasconcellos - Hazardous Waste Source Reduction (Failed Passage)**

AB 468 would have prohibited DTSC from requiring any generator who is implementing a source reduction review and plan to modify the facility's permit and would have allowed generators who have achieved a source reduction of hazardous waste of at least 33 percent to prepare a source reduction evaluation summary in lieu of a full plan.

**AB 483 Alpert - Hazardous Waste Facility Permit Exemptions (Chapter 625, Statutes of 1995)**

AB 483: (1) Exempts from the requirement to obtain a hazardous waste facility permit, subject to certain conditions and consistent with federal law, the onsite puncturing, draining, and crushing of aerosol cans, and the onsite separation of used oil from water; (2) Requires DTSC, by January 1, 1997, to adopt regulations conditionally exempting totally enclosed treatment units from the permitting requirement and conditionally exempting reclaimed secondary materials from the requirements of the HWCL; and (3) Requires DTSC, by July 1, 1997, to complete an evaluation of the phase I environmental assessment requirement.

**AB 573 Goldsmith - Expenditure of Fines and Penalties/*Restitution for Prison Damage* (Chapter 803, Statutes of 1996)**

In its original form, AB 573 would have prohibited the expenditure of revenues derived from the assessment of fines and penalties by any state agency unless the Legislature specifically provided authority for their expenditure by an appropriation in the Budget Act or other legislation. As amended, however, AB 573 requires a convict to pay restitution for damaging his or her prison cell or prison property.



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**AB 602 Ducheny - Recovery of Treble Damages by RWQCBs (Failed Passage)**

AB 602 would have added a provision to the State Water Pollution Cleanup and Abatement Account in the State Water Quality Control Fund which would have authorized the deposit of one-half of any treble damages awarded to a responsible party following recovery from a contribution defendant who has failed or refused to comply with an order or agreement issued by a regional board. AB 602 would also have amended the HSA and provided that in addition to the treble damage remedy available to responsible parties who enter into an agreement with DTSC, treble damages and contributions might also have been sought by responsible parties from recalcitrant responsible parties when a remedial action agreement had been entered into with, or an order had been issued by, a RWQCB. Finally, AB 602 would have, in the event that a RWQCB is a party to the agreement or issued the order, provided that one-half of any treble damages awarded would have been deposited into the State Water Pollution Cleanup and Abatement Account, instead of the Hazardous Substances Account.

**AB 644 Richter - Hazardous Waste Identification Systems (Failed Passage)**

AB 644 would have required DTSC to evaluate the differences between the state and the federal hazardous waste programs, identify and determine what, if any, modifications should be made to the state program to ensure protection of public safety and the environment.

**AB 645      Frusetta - Emergency Fee Relief (Chapter 688, Statutes of 1996)**

Sponsored by DTSC, AB 645 allows DTSC to adopt regulations to provide disposal fee and generator fee relief to victims in declared disaster areas.

**AB 678 Woods - CEQA Requirements for Natural Disasters (Failed Passage)**

AB 678 would have provided that land and any appurtenant structures in need of repairs due to any natural or man-made disaster or an emergency are exempt from CEQA and any other review for purposes of restoring land and any appurtenant structures to the state in which they existed, as specified, if an application for an exemption is made within a specified period of time.

**AB 740 Kuykendahl - Hazardous Waste Transportation (Failed Passage)**

AB 740 would have exempted drivers operating vehicles with a minimal amount of hazardous waste allowed under AB 1448 (Rainey, Chapter 1194, Statutes of 1994) from obtaining a hazardous materials endorsement.

**AB 856 Caldera - Environmental Audit Protection Act (Failed Passage)**

AB 856 would have enacted the Environmental Audit Protection Act of 1996 which would have: (1) Prohibited the imposition of criminal, civil, or administrative sanction against any person who, as a result of an environmental audit, discloses a minor violation of an environmental requirement to a regulatory agency, if specified conditions are met; (2) Required any criminal, civil, or administrative sanction that may be imposed against a person who, as a result of an environmental audit, discloses a violation of an environmental requirement, to be reduced based upon specified mitigating factors; (3) Prior to making any decision to pursue or assess any criminal, civil, or administrative sanction, required a regulatory agency to discuss a settlement of any proposed sanction with the alleged violator based upon specified criteria; (4) Prohibited any information disclosed to a government agency pursuant to an environmental audit or related information, from being disclosed under the California Public Records Act; (5) Prohibited government agencies from requesting or subpoenaing an environmental audit in order to initiate a criminal, civil, or administrative investigation of the person for whom the audit was conducted; (6) Prohibited government agencies from recommending criminal charges be brought against persons who conduct an environmental audit and who meet specified criteria; and (7) Defined, for purposes of the Act "environmental audit," "environmental requirement," and "minor violation."

**AB 863 Aguiar - Permit Reform Act Fees (Failed Passage)**

AB 863 would have changed the definition of "fee" for the purpose of the Permit Reform Act (as created by SB 1185, Bergeson - Chapter 419, Statutes of 1993) to exclude the overhead costs of DTSC and other state and local environmental agencies.

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- AB 1060**      **Richter - Hazardous Waste Staging in Waste Piles (Chapter 627, Statutes of 1995)**  
AB 1060 allows contaminated soil that is nonRCRA hazardous waste to be accumulated onsite in waste piles without a grant of authorization for purposes of onsite treatment or offsite transportation, subject to specified conditions. The bill specifies that the accumulation in waste piles for onsite treatment or offsite transportation will not be considered to be disposal.
- AB 1096**      **Ducheny - Groundwater Reclamation and Protection Act (Failed Passage)**  
AB 1096 would have required dry cleaning solvent suppliers to register with the Board of Equalization. AB 1096 would also have created a trust fund, administered by the SWRCB, to provide grants or loans to clean up contamination caused by dry cleaning solvent.
- AB 1103**      **Sher - Oil Recycling Fund (Chapter 822, Statutes of 1995)**  
AB 1103 annually appropriates \$250,000, beginning in fiscal year 1996, from the California Used Oil Recycling Fund to the IWMB for the purpose of contracting with DTSC for enhanced investigation and enforcement activities at used lubricating oil handling, storage and transfer facilities.
- AB 1142**      **Baldwin - State Regulations: Adverse Job Creation Impact (Failed Passage)**  
AB 1142 would have prohibited all State regulations that had been determined by OAL to have an adverse job creation impact from remaining in effect for more than four years.
- AB 1155**      **Morrissey - State and Federal Hazardous Waste Programs (Failed Passage)**  
AB 1155 would have made a non-substantive change to provisions relating to the state authorization to implement the federal hazardous waste program.
- AB 1160**      **Morrissey - Occupational Safety and Health Requirements (Failed Passage)**  
AB 1160 would have required that standards adopted by the Department of Industrial Relations, Division of Occupational Safety and Health be the same as the federal standards.
- AB 1179**      **Bordonaro - State Regulations: Cost Effectiveness (Failed Passage)**  
AB 1179 would have required rulemaking agencies to find that the benefits of a proposed regulation justified its costs, and that the proposed regulation was the most cost-effective of available regulatory options.
- AB 1180**      **Morrissey - Small Business Dispute Adjudication (Failed Passage)**  
AB 1180 would have created an alternative administrative procedure for adjudicating disputes between a state agency and a small business regarding violations of administrative regulations, and allowed a small business to utilize this procedure when a state agency sought to impose a civil penalty on that business.
- AB 1245**      **Frusetta - Exempt Hazardous Waste Transfer Facilities (Chapter 628, Statutes of 1995)**  
AB 1245, a DTSC sponsored bill, increases the length of time that hazardous waste may be held at an exempt transfer facility in an industrial zone from 6 days to 10 days, allows transporters to surrender their registration upon request, revises the notification time of transporter's insurance companies, and exempts transporters from the fee for variances related to transportation of hazardous waste.
- AB 1287**      **Cortese - Environmental Subdivisions (Chapter 955, Statutes of 1995)**  
AB 1287 permits a local agency to allow a landowner to subdivide land for "biotic and wildlife purposes." Approval of an "environmental subdivision" must be based on the following conditions: Data must be available to the local agency supporting application for subdivision of land to be perpetually maintained for biotic and wildlife purposes; the perpetual maintenance must be in accordance with conditions imposed by other local, state or federal agencies requiring mitigation within their jurisdictions; an easement must be recorded in the county in which the land is located; the area of the subdivision may be no less than 20 acres in size; abandonment of the subdivision may occur only upon reversion to acreage where no parcels have been sold or exchanged and none is being used, set aside, or required for mitigation purposes; and the subdivision is to be achieved only through a parcel map.
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- AB 1319      Olberg - Protection of Private Property Rights (Failed Passage)**  
AB 1319 would have required each state agency to ensure that actions affecting private property were both supported by the administrative record and other legal authority and complied with the most recent state and federal Supreme Court decisions and other relevant judicial authority. Further, it would have required the agencies to consider actions which may have constituted a taking that required compensation. AB 1319 would also have provided that state agencies could request assistance from the Department of General Services to comply with this bill and required state agencies to submit annual reports to the Governor and Legislature on actions taken to comply with this bill.
- AB 1328      Olberg - Fee Payment Linked to Permit Turnaround (Failed Passage)**  
AB 1328 would have exempted facility operators from the annual hazardous waste facility fee until a permit decision was made, if the final action on the permit was not made within one year of application.
- AB 1329      Olberg - CEQA Project Definition (Failed Passage)**  
AB 1329 would have excluded any activity consisting only of the extension, renewal, reissuance, or transfer by a public agency of a lease, permit, license, certificate, or other entitlement for use from the definition of project, for purposes of requiring a lead agency to prepare an environmental impact report.
- AB 1434      Firestone - Underground Storage Tank Loan Program (Chapter 814, Statutes of 1995)**  
AB 1434 transfers duties relating to the underground storage tank loan program from the Department of Commerce to TCA. AB 1434 also changes eligibility requirements for the loans to make them available to larger businesses. It increases the maximum amount of any loan from \$350,000 to \$750,000, deletes a provision restricting an applicant to one loan at any one time, increases the amount of money transferred to TCA for the loan program from \$4 million to \$6.5 million for the 1995-96 fiscal year and extends the sunset for the loan program from January 1, 1998, to December 22, 2005, or one year from the date that federal law requires that underground storage tanks have to be removed, whichever is sooner.
- AB 1475      Pringle - Regulatory Fee Inventory (Chapter 1127, Statutes of 1996)**  
AB 1475 requires the Office of Permit Assistance in TCA to establish and maintain a regulatory fee register, requires government agencies and departments to submit a quarterly report regarding the amount of regulatory fees collected by that agency and requires the TCA to create an annual fee inventory register.
- AB 1530      Richter - URGENCY - Battery Management (Chapter 575, Statutes of 1996)**  
Sponsored by the Rechargeable Battery Recycling Corporation, AB 1530, an urgency statute, immediately implements the Federal Battery Management Act in California, enabling DTSC to seek authorization from the U.S. EPA to implement and enforce the Federal Battery Management Act in California. The Federal Battery Management Act imposes a nationwide mandate that the management of all batteries (with some exceptions) be regulated under the federal "Universal Waste Rule," preempting any state requirements pertaining to battery management that are inconsistent with the Federal Battery Management Act.
- AB 1540      Weggeland - Exempt Quantities for Treatability Studies (Chapter 294, Statutes of 1995)**  
AB 1540, a DTSC sponsored bill, increases the quantity limit of hazardous waste allowed to be used for treatability studies in California to the same level as is allowed under federal law. AB 1540 also requires DTSC to adopt regulations by April 30, 1996 to be consistent with the corresponding federal regulations.
- AB 1573      Kevin Murray - Small Business Regulatory Streamlining (Failed Passage)**  
AB 1573 would have required the Small Business Development Board to advise the Cal/EPA Secretary on how to ease the burden of environmental regulations on small businesses.
- AB 1630      Olberg - Environmental Quality Project Review Fees (Failed Passage)**  
AB 1630 would have provided that a filing fee would not be required of applicants who were located within the boundaries of a valid and existing habitat conservation plan or natural community conservation plan that resulted from actions taken pursuant to CEQA, the California Endangered Species Act, and, to the extent permitted by federal law, the federal Endangered Species Act, if projects were in compliance with either of those plans.
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<b>AB 1651</b>	<b>Richter - DTSC Indirect Rate Task Force Codification (Chapter 576, Statutes of 1996)</b> AB 1651 requires DTSC to establish billing and invoice procedures for direct/indirect costs, develop a concise statement of its cost recovery policies, including dispute resolution procedures, and distribute the statement to all responsible parties associated with a cleanup of a contaminated site. This bill also establishes a separate subaccount in the HWCA to handle cleanup funds that are received from settlement agreements for the cleanup of specific sites.
<b>AB 1659</b>	<b>Woods - State Regulations: Disclosure: Risk Assessment: Cost/Benefit (Failed Passage)</b> AB 1659 would have specified that the justification for adoption of regulations more stringent than federal regulations be established by scientific risk and economic assessment procedures that include public comment periods.
<b>AB 1683</b>	<b>Conroy - URGENCY - Motor Carrier Regulation; Federal Preemption (Chapter 1042, Statutes of 1996)</b> AB 1683, an urgency statute, revises various provisions of the Public Utilities Act to reflect the federal preemption relative to state regulation prices, routes, and services of motor carriers.
<b>AB 1740</b>	<b>Mazzoni - State and Federal Hazardous Waste Programs (Failed Passage)</b> AB 1740 would have made a non-substantive change to provisions relating to the state authorization to implement the federal hazardous waste program.
<b>AB 1782</b>	<b>Brewer - CEQA Noncompliance (Failed Passage)</b> AB 1782 would have, in any action or proceeding on the grounds of noncompliance with CEQA, prohibited a court from granting any injunction or stay prohibiting the project from being carried out or approved unless the court finds that there was a reasonable likelihood that the person requesting the injunction or stay would prevail ultimately on the merits.
<b>AB 1822</b>	<b>Richter - Exemption of Kraft Pulping Liquors (Chapter 401, Statutes of 1995)</b> AB 1822 excludes kraft pulping liquors from regulation as a hazardous waste and allows onsite burning of organic materials derived from the process without a hazardous waste permit. AB 1822 makes California regulations regarding kraft pulping liquors equivalent to federal law regarding the use and recycling of kraft pulping liquors.
<b>AB 1857</b>	<b>Brewer - State Regulations: Economic Impact (Failed Passage)</b> AB 1857 would have required state agencies to evaluate the economic impact of regulations and determine the most cost-effective regulatory option available.
<b>AB 1860</b>	<b>Allen - CEQA: Notice of Determination (Chapter 801, Statutes of 1995)</b> AB 1860 repeals the provision in CEQA which allows persons to request copies of an agency's "notice of determination", and provides that the statute of limitations extends for thirty days from the date the notice is mailed.
<b>AB 1876</b>	<b><u>Richter - Private Site Management Program (Chapter 820, Statutes of 1995)</u></b> AB 1876, a DTSC sponsored bill, creates the Private Site Management Program under which individuals who qualify as Private Site Managers can oversee site assessments and cleanups independent of direct oversight by DTSC. AB 1876 also creates a second class of Registered Environmental Assessor who will possess the qualifications of Private Site Managers.
<b>AB 1888</b>	<b><u>Alby - Hazardous Waste Fees (Failed Passage)</u></b> AB 1888 was a DTSC sponsored bill which would have made a non-substantive change to provisions relating to the Hazardous Waste Control Account.
<b>AB 1906</b>	<b>Sher - Hazardous Waste Fee Consolidation (Chapter 637, Statutes of 1995)</b> AB 1906 consolidates the payment of the facility fee, generator fee, generator surcharge fee, and environmental fee into a single payment to BOE.

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**AB 1909****Campbell - Cement Kiln Dust (Failed Passage)**

AB 1909 would have required a manufacturer of cement sold in this state which was produced through the use of hazardous waste-derived fuels, to, until January 1, 2000, inform the purchasers and consumers of the cement through the use of a material safety data sheet and label that contained specified information.

**AB 1930****Sweeney - CEQA: Project Development Time Frame (Chapter 808, Statutes of 1996)**

AB 1930 requires the lead agency of a development project to approve or disapprove the project within 180 days from the date of certification of an EIR, 45 days from the date of adoption by the reviewing agency issuing the negative declaration, or 45 days from the determination by the lead agency that the project is exempt from CEQA. In addition, AB 1930 requires a negative declaration to be completed and adopted within 180 days, deletes the requirement to contract for a negative declaration within the specified period; and requires the contract to be executed within 45 days from the date that the state or local agency sends a notice of preparation.

**AB 1935****Sweeney - CEQA Exemptions (Failed Passage)**

AB 1935 would have exempted the following projects from the CEQA process: (1) Maintenance or repair work on levees, as specified; (2) Construction of a high occupancy vehicle lane within the existing graded right-of-way which does not result in the fill of any creek, river, lake, bay, or wetland; (3) Construction of six correctional facilities, as specified, if approved by the voters in 1996, or any federal correctional facility constructed at George Air Force Base. AB 1935 would also have provided that remediation by removal and disposal of the contaminated soil in accordance with California's Hazardous Waste Control Act should be presumed to be a feasible mitigation measure in those instances where a federal environmental impact statement was prepared on a military base closure and the federal government had accepted legal responsibility for soil/groundwater contamination.

**AB 1943****Bordonaro - URGENCY - Pre-Certification of Equipment (Chapter 367, Statutes of 1996)**

Sponsored by Cal/EPA, AB 1943, an urgency statute, authorizes state environmental agencies to adopt regulations that will allow for the pre-certification of equipment and processes, and requires those agencies to adopt standardized permits that incorporate the pre-certified equipment or processes. AB 1943 also adds certified unified program agencies and any permits they issue to Cal/EPA's consolidated permit program.

**AB 1947****Battin - Administrative Procedures Act for Local Hazardous Materials Regulations (Chapter 980, Statutes of 1996)**

AB 1947 creates the Local Agency Hazardous Materials Regulations Administrative Procedure Act. It requires local agencies enacting ordinances pertaining to hazardous materials to follow the standards in the Government Code to adopt regulations and to create and maintain a rulemaking file for those ordinances. AB 1947 also requires local agencies adopting regulations to identify any State or federal statute or regulation that might overlap or duplicate the proposed regulation and to justify the overlap or duplication.

**AB 1956****Sher - Recision of Hazardous Waste Reduction Internship Pilot Program (Failed Passage)**

AB 1956 would have rescinded the University of California hazardous waste reduction internship pilot program, which placed students in engineering, environmental sciences, or related subject areas in private business for the purpose of providing on-site assistance on hazardous waste reduction methods to small quantity generators.

**AB 1962****Figueroa - Hazardous Waste Cleanup Authority (Chapter 629, Statutes of 1995)**

AB 1962 requires DTSC to address a release of a hazardous waste using the authority of the Hazardous Waste Management Program (Chapter 6.5, HSC) and to exhaust all remedies under that chapter prior to invoking authority under the State Superfund Program (Chapter 6.8, HSC) whenever the person responsible for the release operates a hazardous waste treatment, storage or disposal facility, unless the person petitions DTSC to issue an order under Chapter 6.8.

**AB 1964****Figueroa - Hazardous Waste Fees (Chapter 630, Statutes of 1995)**

AB 1964 makes a variety of technical changes in the collection of hazardous waste fees by BOE. It also modifies the basis for adjusting hazardous waste facility fees to reflect inflation from changes in the U.S. Consumer Price Index to changes in the California Consumer Price Index.

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<b>AB 1965</b>	<b>Figueroa - Treated Wood Waste Exemption (Chapter 670, Statutes of 1995)</b> AB 1965 exempts treated wood waste that meets specified conditions from regulation as hazardous waste.
<b>AB 1966</b>	<b>Figueroa - Spent Copper Cleaners and Conditioners (Chapter 631, Statutes of 1995)</b> AB 1966 extends the time limit for which the treatment of spent cleaners and conditioners which are hazardous solely due to the presence of copper or copper compounds is eligible to be conducted under reduced permit requirements to January 1, 1998. It also extends to January 1, 1997, the date by which the DTSC must evaluate and designate by regulation the treatment activities for copper and copper compounds eligible for conditional authorization and those subject to the more stringent permit-by-rule.
<b>AB 2088</b>	<b>Alpert - Intermediate Manufacturing Process Streams (Chapter 579, Statutes of 1996)</b> AB 2088, sponsored by the California Manufacturers Association, revises the definitions of "recycled material" and "waste" to exclude intermediate manufacturing process streams, which are defined as materials that are used on-site in the production of a commercial product in processes that are designed for their use, provided these materials are not recyclable materials (hazardous wastes that can be recycled), not accumulated in amounts greater than can be used in the process, and are handled like materials and not wastes. (Note: A subsequent letter to the Assembly Daily Journal by the author stated that AB 2088 is intended to clarify that existing law pertaining to hazardous wastes and their management does not apply to materials and manufacturing processes).
<b>AB 2099</b>	<b>Miller - CEQA: Environmental Impact Reports (Failed Passage)</b> AB 2099 would have prohibited the consideration of economic and social factors in an environmental impact report, but would have authorized a public agency to consider those factors in determining whether to carry out or approve the project.
<b>AB 2102</b>	<b>Rainey - Exemption for Gypsum Substitutes (Failed Passage)</b> AB 2102 would have exempted from regulation as a hazardous waste any non-RCRA calcium sulfate-rich materials that were produced by power generating facilities, and that could be used in commercial applications without prior treatment as a substitute for natural gypsum.
<b>AB 2163</b>	<b>Rainey - Funding for ASARCO Cleanup (Failed Passage)</b> AB 2163 would have appropriated specified funds from the General Fund to the State Lands Commission for the purpose of continuing removal and remedial actions at the ASARCO hazardous substance release site in the County of Contra Costa. The substantive components of AB 2163 were moved to SB 18 (See SB 18).
<b>AB 2173</b>	<b>Margett - San Gabriel Water Quality Authority Act (Chapter 281, Statutes of 1996)</b> AB 2173 requires the board of the San Gabriel Basin Water Quality Authority, if it determines that its actions are in accordance with a specified basin-wide groundwater quality management and remediation plan and specified records of decision issued by U.S. EPA, to institute a specified limited function status.
<b><u>AB 2201</u></b>	<b><u>House - Cargo Tank and Hazardous Waste Transporter Inspections (Chapter 539, Statutes of 1996)</u></b> AB 2201, sponsored by DTSC and CHP, conforms California's inspection requirements for interstate and intrastate cargo tank and hazardous waste transporters with existing federal law. AB 2201 repeals existing requirements for annual inspections of cargo tank and hazardous waste transporters and instead requires CHP to randomly inspect such vehicles and transporters. The bill also repeals the fees associated with the annual inspection.
<b>AB 2202</b>	<b>Baca - Household Hazardous Waste - Materials Exchange Programs (Chapter 647, Statutes of 1996)</b> Sponsored by the County of San Bernardino, AB 2202 allows public agencies to conduct materials exchange programs as part of their household hazardous waste collection programs only if they have prepared and implemented a quality assurance plan. The plan explains how materials that are to be offered as household products under the materials exchange program are to be distinguished from household hazardous wastes also being collected at the location.
<b>AB 2266</b>	<b>Cortese - Wildlife Habitat: Endangered Species (Failed Passage)</b> AB 2266 would have made a technical, nonsubstantive change to a declaration related to endangered species.

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- AB 2304      Firestone - Modification to Definition of Hazardous Waste (Failed Passage)**  
AB 2304 would have made nonsubstantive technical changes in the provisions of existing law relating to hazardous waste control.
- AB 2402      Miller - Report to Legislature on Number of Fines Greater Than \$5000 (Failed Passage)**  
AB 2402 would have required each state agency, as specified, to report the Legislature regarding fines levied by that agency that were in excess of \$5,000 per fine, including the entity against which the fine was levied and the reason for the fine.
- AB 2458      Figueroa - Reports to the Legislature (Chapter 818, Statutes of 1996)**  
AB 2458 provides that any report requested by law to be submitted to the members of either house of the Legislature generally shall instead be submitted instead to the Legislative Counsel, the Secretary of the State, and the Chief Clerk of the Assembly.
- AB 2507      Ackerman - Water Board Billing Practices (Chapter 607, Statutes of 1996)**  
AB 2507 prohibits the SWRCB or a RWQCB from assessing or collecting charges, after July 1, 1997, to compensate the state board or regional board for some, or all, of its costs incurred in connection with the investigation, analysis, planning, implementation, oversight, or other activity related to a removal or remedial action or a corrective action to a release of a hazardous substance, unless they provide time records and invoices to the responsible party, and identify party responsible for resolving disputes. AB 2507 also authorizes the SWRCB or RWQCB to adjust the scope of the work or service and increase billing rates. Finally, AB 2507 requires the SWRCB or RWQCB to adopt a specified billing system by July 1, 1997, and requires the SWRCB to submit a report, by January 1, 1999, to the Legislature, on the costs of implementing the bill's requirements, including recommendations for improving further program management efficiencies.
- AB 2559      Setencich - Dielectric Fluid Management (Vetoed)**  
AB 2559 would have exempted dielectric fluid that is removed from oil-filled equipment (such as transformers), filtered, and replaced into that equipment from the requirement that all used oil be managed as hazardous waste, provided it was managed according to federal regulations pertaining to used oil.
- AB 2684      Kaloogian - Abolition and Review of State Regulatory Agencies (Failed Passage)**  
AB 2684 would have abolished state regulatory agencies on various specified dates unless the Legislature extended that date for no more than 5 years. In addition, AB 2684 would have provided that any state regulatory agency established by legislation on or after January 1, 1997, would be abolished 5 years after established unless specifically provided or a statute extended the date. In the case of abolished agencies, AB 2684 would have authorized the Governor to submit a reorganization plan providing for the orderly transfer of the functions to a successor agency designated by the Governor, and would have required appropriate policy committees in each house of the Legislature to conduct public hearings on the proposed abolishment.
- AB 2776      Miller - RSU Facilitation (Chapter 999, Statutes of 1996)**  
AB 2776, sponsored by DTSC, provides the statutory changes needed to implement RSU. Specifically, AB 2776:
- Allows DTSC, by regulation, to, until January 1, 2002, establish alternative management standards for hazardous waste activities, provided the alternative standards continue to ensure protection of public health and the environment;
  - Allows DTSC to, until January 1, 2002, grant temporary relief from certain program requirements by issuing a single variance to all affected businesses and allowing a variance applicant to enter into a cost reimbursement agreement as an option to the flat rate variance fee;
  - Conforms California's definition of hazardous waste "treatment" to the federal definition;
  - Deletes the specialized training prohibitions from DTSC's environmental certification program; and
  - Eliminates and revises certain requirements to provide clarification, consistency and conformity with the original legislative intent of specific statutes.
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AB 2793

**Baldwin - Administrative Regulations Plans (Failed Passage)**

AB 2793 would have required all state agencies, commencing January 1, 1998 and every 4 years thereafter, to review each of the regulations, as specified, with an agency's respective jurisdiction that have not been amended within the previous 4 years using existing resources.

AB 2796

**Baldwin - Deposit of Fines and Penalties into General Fund (Failed Passage)**

AB 2796 would have provided that specified state fund revenues would be deposited in the General Fund and could not be expended unless the Legislature authorized expenditure.

AB 2858

**Machado - Disclosure of Environmental Audit Reports/*Procurement of Recycled Paper Products* (Failed Passage)**

AB 2858, as introduced, would have established the Environmental Audit Privilege and Voluntary Noncompliance Disclosure Act of 1996. Information contained in an environmental audit report would have been "privileged" and not admissible as evidence in any legal proceeding or discoverable. AB 2858 would have created penalties for divulging information contained in an environmental audit report, and would have granted immunity to anyone who voluntarily disclosed negligent acts of noncompliance. As subsequently amended, AB 2858 would have deleted the definition of "recycled paper" for specified fine grades of paper and deleted the provision that increased the required post-consumer material content in those paper grades.

AB 2896

**Goldsmith - Cost Benefit Analysis for Adoption of Regulations (Failed Passage)**

AB 2896 would have required specified state agencies to describe their efforts, in connection with a proposed rulemaking action, to avoid unnecessary overlap or inconsistency with federal regulations contained in the Code of Federal Regulations that addressed the same issues. In addition, AB 2896 would have revised the justification for adopting regulations different from federal regulations to provide that the state regulations were expressly required by state law to be different than the federal regulations, or that the reasonably anticipated cost of differing state regulation was justified by the reasonably anticipated benefit.

AB 2937

**Brulte - "Fix-it" Tickets for Air and Water Quality Violations (Chapter 775, Statutes of 1996)**

AB 2937 requires ARB and the air pollution control and air quality management districts to adopt regulations classifying minor violations. AB 2937 also requires SWRCB and the RWQCBs to determine the types of violations that are minor violations and requires SWRCB to adopt regulations or state policy. Finally, AB 2937 requires representatives of these agencies who, in the course of conducting an inspection, detect a minor violation, to issue a notice to comply. These provisions are repealed on January 1, 2001. SWRCB and ARB are required to report to the Legislature by January 1, 2000, regarding implementation of AB 2937.

AB 2963

**Firestone - CEQA - Emergency Projects (Chapter 825, Statutes of 1996)**

AB 2963 exempts from specified CEQA requirements emergency projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway which is damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement or landslide, and would exempt certain other emergency activities from certain of those requirements.

AB 3006

**Machado - CEQA: Project Alternatives (Failed Passage)**

AB 3006 would have made the requirement to include a detailed statement of alternatives to a proposed environmental project not applicable in the case of any project that was proposed to be carried out by a person other than a public agency.

AB 3023

**Sher - Environmental Audits Disclosure (Failed Passage)**

AB 3023 would have enacted the Environmental Audit Incentive Act of 1996, which would have prevented a regulatory agency from assessing any civil or administrative sanction against any business who disclosed a minor violation of an environmental requirement discovered during an environmental audit, provided specific conditions were met. For violations other than minor violations, AB 3023 would have provided for a reduction in criminal or civil penalties. After being elected through special election into the Senate, the author placed the provisions of AB 3023 into SB 1752.



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<b>AB 3044</b>	<b>Olberg - Permit Application Process - Repair &amp; Maintenance Projects (Chapter 776, Statutes of 1996)</b> AB 3044 establishes an administrative process that may be used, at the request of an applicant conducting a repair and maintenance activity that requires environmental permits, to designate a consolidated permit agency, and establishes a process by which an applicant can appeal the failure by a permit agency to take timely action on the issuance or denial of a repair and maintenance permit in accordance with agreed upon permit processing time limits, and provides for refunding of permit fees if the permit agency fails to meet permit deadlines without good cause. AB 3044 would also require the administrator for oil spill response exercises to coordinate all actions required by state or local agencies to assess injury to, or restore, rehabilitate, or replace, natural resources, that are damaged by an oil spill, and requires the responsible party to be liable for all coordination costs incurred by the administrator.
<b>AB 3045</b>	<b>Olberg - CEQA Requirements for DoD Facilities (Failed Passage)</b> AB 3045 would have stated that CEQA does not apply to Department of Defense projects or approvals of Department of Defense projects except as specified.
<b>AB 3049</b>	<b>Olberg - CEQA: Environmental Impact Reports (Failed Passage)</b> AB 3049 would have required that the physical conditions that were potentially impacted and triggered the requirement for an EIR be those conditions that existed as of the date of the project application, limited the circumstances under which an environmental impact report or a negative declaration was to be prepared to where the lead agency had determined that the proposed project is likely to have a significant effect on the environment, deleted the requirement that the lead agency provide a written response to comments and a specified notice to a public agency, authorized a master environmental impact report to be prepared for any project, and limited the circumstances under which a court could grant a stay, temporary restraining order, or preliminary injunction, and prescribed circumstances when the court could award attorneys' fees.
<b>AB 3146</b>	<b>Brewer - State Duplication of Federal Regulations (Failed Passage)</b> AB 3146 would have required all state agencies to comply with existing law to avoid unnecessary duplication with federal regulations by reviewing the agencies' regulations regularly.
<b>AB 3158</b>	<b>Olberg - Environmental Regulatory Cost -Effectiveness Commission (Failed Passage)</b> AB 3158 would have created the Environmental Regulation Cost-Effectiveness Commission.
<b>AB 3159</b>	<b>Olberg - Fines/Penalties for Intentional and Negligent Violations (Failed Passage)</b> AB 3159 would have prohibited state and local environmental agencies from imposing and collecting any civil penalty except for violations that were intentional or the result of culpable negligence, as defined.
<b>AB 3198</b>	<b>Rainey - Hazardous Waste Consolidation Sites (Failed Passage)</b> AB 3198 would have allowed a remedial action consolidation site, as defined, to be operated without a hazardous waste facility permit if the hazardous waste transported to the site was a bulk non-RCRA hazardous waste soil or related debris generated in the course of a specified type of removal or remedial action and operated in accordance with specified provisions.
<b>AB 3206</b>	<b>Escutia - Permit Term for Hazardous Waste Facilities/South Coast AQMD (Failed Passage)</b> As introduced, AB 3206 would have reduced the maximum fixed term for a land disposal facility, storage facility, incinerator, or other treatment facility from 10 years to 5 years. As amended, AB 3206 would have required the South Coast Air Quality Management District Board to annually evaluate the performance of the south coast district executive officer based on specified criteria.
<b>AB 3292</b>	<b>Sher - Small Business Environmental Permit Assistance Centers (Failed Passage)</b> AB 3292 would have created in the Trade and Commerce Agency the Small Business Environmental Regulatory Assistance Center.

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<b>AB 3303</b>	<b>House - Searches by Public Employees (Failed Passage)</b> AB 3303 would have required public employees to secure a search warrant to enter a home or business for the purposes of conducting an investigation or search.
<b>AB 3329</b>	<b>Campbell - Prohibition on Disposal of Hazardous Materials (Failed Passage)</b> AB 3329 would have prohibited any disposal facility that was approved by a vote of the electorate of a local jurisdiction, including, but not limited to, the Keller Canyon Landfill, from initiating any change in its design or operation that would allow it to accept hazardous materials (defined to include hazardous wastes) for disposal.
<b>AB 3442</b>	<b>Sweeney - Cleanup of Unclaimed Property (Failed Passage)</b> AB 3442 would have allowed the State Controller to spend money from the Unclaimed Property Fund toward removal of contamination from unclaimed, abandoned, or escheated property, or property which has been distributed to the state.
<b><u>AB 3474</u></b>	<b><u>Assembly Committee on Environmental Safety and Toxic Substances - Recycling Law Cleanup (Chapter 433, Statutes of 1996)</u></b> AB 3474, sponsored by DTSC, makes the following changes to the hazardous waste recycling law: <ul style="list-style-type: none"><li>➤ Removes reference to infectious wastes that are no longer regulated by DTSC but by DHS as medical wastes.</li><li>➤ Removes specific references to federal law that do not apply to the wastes in question.</li><li>➤ Removes the inflexible 90-day storage time limit prior to recycling to allow for longer storage times available to other generators of hazardous wastes.</li><li>➤ Splits an existing exclusion into two clauses -- one pertaining to fuel contaminated with nonhazardous material; and a second pertaining to fuel mixed with unused petroleum product -- for clarity.</li><li>➤ References a broader definition of petroleum refinery to be consistent with other sections of law.</li><li>➤ Expands the exclusion to apply to fuels which are processed into either fuel or other products; and allows the processing to occur at any type of petroleum refinery.</li></ul>
<b>AB 3475</b>	<b>Assembly Committee on Environmental Safety and Toxic Substances - Third-Party Laboratory Accreditation/Certification (Chapter 747, Statutes of 1996)</b> AB 3475, sponsored by the Association of California Testing Laboratories, requires DHS to adopt regulations to allow any environmental testing laboratory to use the accreditation that it may have received from a third-party laboratory accreditation organization as evidence of the laboratories' qualifications for receiving its required certification from DHS.
<b>AB 3476</b>	<b>Assembly Committee on Environmental Safety and Toxic Substances - Cal/EPA Compliance Performance Awards (Failed Passage)</b> AB 3476 would have required each department, board, or office within Cal/EPA to develop a compliance award program by regulation by June 30, 1997, to reward businesses that demonstrated a consistent record of compliance with environmental laws and regulations.
<b>AB 3477</b>	<b>Assembly Committee on Environmental Safety and Toxic Substances - Unified Code of Environmental Statutes (Failed Passage)</b> AB 3477 would have stated the intent of the Legislature to establish a single unified code of environmental protection statutes.

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# Senate Bills

- SB 18**      **Senate Committee on Appropriations - URGENCY - Payment of Judgements and Settlement Claims Against the State of California (Chapter 702, Statutes of 1996)**  
SB 18, an urgency statute, among other appropriations, appropriates funds from the General Fund to the State Lands Commission to pay the obligation of the Commission for the ASARCO site cleanup.
- SB 57**      **Leonard - CEQA Exemption (Failed Passage)**  
SB 57 would have exempted from CEQA the issuance of a permit or any other approval for any physical modification process change, or new equipment required to comply with any law or regulation enacted or adopted for the protection of the environment.
- SB 80**      **Mello - CEQA: Fort Ord Reuse Authority (Failed Passage)**  
SB 80 would have allowed the Fort Ord Reuse Authority to use a master environmental impact report for the Fort Ord Reuse Plan. During the preparation of the master EIR, a project implementing the Plan that would not intensify existing land use could proceed. A project that intensifies land uses could proceed with a project specific EIR. In addition, SB 80 would have permitted the "Final Base Reuse Plan" to be used until July 1, 1996.
- SB 130**      **Costa - Recovery and Recycling of Oil (Chapter 632, Statutes of 1995)**  
SB 130 amends the conditions that must be met in order to qualify for an exemption from hazardous waste control law. The exemption is available for units used to recover oil from oil-bearing materials, the associated storage of oil-bearing materials, and the recovered oil. SB 130 also amends the exemption conditions for the recycling of oily waste, used oil, or spent nonhalogenated solvents.
- SB 176**      **Alquist - Household Hazardous Substances: Competent and Reliable Information (Failed Passage)**  
SB 176 would have prohibited state or local agencies from providing information on household hazardous substances, or safer substitutes for products that contain hazardous substances, unless the information was "competent and reliable." In addition, SB 176 would have defined "competent" and "reliable" as information based upon a test, analysis, research, study, or other evidence conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the scientific community.
- SB 206**      **Kelley - Cementitious Material: Testing and Management (Chapter 847, Statutes of 1995)**  
SB 206 defines the term "cementitious material," provides that specified tests used to determine the characteristic of corrosivity do not apply to cementitious material that is managed where it is generated, excludes nonaqueous cementitious material from regulation as a hazardous waste if it is managed where it is generated and exhibits the characteristic of corrosivity based solely on the basis of pH, and clarifies that the RWQCBs are the primary regulatory authority to manage the disposal of cementitious waste.
- SB 219**      **Thompson - Collection of Non-Lead-Acid Batteries (Chapter 633, Statutes of 1995)**  
SB 219 allows collection facilities to collect non-lead-acid batteries without possessing a hazardous waste facilities permit if the batteries are transported to a household hazardous waste collection facility. SB 219 also allows household hazardous waste collection facilities to refuse to accept spent batteries if the volume received exceeds their storage capacity and authorizes these facilities to charge a fee to cover handling, storage and disposal costs and increases the amount of batteries that may be stored by a non-curbside collection facility from 200 to 600 pounds.
- SB 231**      **Hughes - Eminent Domain Cleanup Provisions (Chapter 247, Statutes of 1995)**  
SB 231 eliminates reference to the term "hazardous substance" in the school district eminent domain provision, and instead refers to the term "hazardous materials," a much more broadly defined term and one which also includes petroleum and refined petroleum products. To avoid conflict, SB 231 specifically exempts naturally occurring petroleum from the definition of hazardous material.

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- SB 289**      **Wright - Transportable Treatment Units (Chapter 423, Statutes of 1995)**  
SB 289 requires DTSC to evaluate its regulation of TTU operations and makes automatic changes if DTSC does not adopt regulations by March 1, 1996 (specifically, allow TTUs currently operating under full permits to operate under standardized permits). This change allows DTSC to determine the most appropriate level of regulation for TTUs and potentially reduce the regulatory burden upon transportable treatment units currently operating under a full permit. SB 289 also enables persons handling used oil from households and small businesses to presume that the used oil is not contaminated with other hazardous wastes.
- SB 297**      **Campbell - Regulatory Activity Principal Contact (Chapter 650, Statutes of 1995)**  
SB 297 designates a principal contact who will coordinate procedures, forms, and deadlines for all regulatory activities within the state. SB 297 provides special exemptions for permits issued through the Environmental Protection Permit Reform Act of 1993, or for those areas that conflict with explicitly specified statutes, the Administrative Procedures Act or with issues regarding promulgation of regulations by an agency and administrative adjudication procedures.
- SB 324**      **Calderon - Environmental Responsibility Acceptance Act (Vetoed)**  
SB 324 would have declared the intent of the Legislature to establish an equitable framework for property owners and responsible parties to clean up contaminated property. SB 324 would also have established the Environmental Responsibility Acceptance Act providing for the mediation-arbitration of potential liability claims for damage to real property by hazardous materials.
- SB 329**      **Campbell - State Regulations: Legislative Oversight (Failed Passage)**  
SB 329 would have required all administrative regulations to "lay before" the legislature for 30 days before taking effect, giving the legislature an opportunity to halt or amend ill-advised regulations before they took effect, if necessary.
- SB 337**      **Campbell - State Regulations: Economic Hardship and Restriction (Failed Passage)**  
SB 337 would have required OAL to certify that a regulation proposed by a state agency, or submitted by any interested party under rules specified by OAL, imposed the least restriction and economic hardship on business prior to approving the regulation.
- SB 338**      **Campbell - Expenditure of Fines and Penalties (Chapter 654, Statutes of 1995)**  
SB 338 requires that revenues derived from the assessment of fines and penalties by a state agency cannot be expended unless the Legislature specifically provides authority for the expenditure of these funds in the annual Budget Act or other legislation.
- SB 339**      **Campbell - State Regulations: Expiration Date (Failed Passage)**  
SB 339 would have prohibited all regulations adopted by a state agency after January 1, 1996, from remaining in effect for more than five years from the date of its filing with the Secretary of State, unless the regulation were to be readopted before its expiration date, in accordance with provisions of the Administrative Procedures Act.
- SB 342**      **Campbell - State Agency Fees (Chapter 685, Statutes of 1995)**  
SB 342 provides that no General Fund state agency may collect any fee that exceeds the estimated actual or reasonable cost of providing the service, inspection or audit for which the fee is levied.
- SB 352**      **Wright - Steel and Aerosol Can Recycling (Chapter 424, Statutes of 1995)**  
SB 352 exempts solid waste facilities and steel and aerosol can recycling facilities from the permit requirements if:  
(1) Any non-empty aerosol cans that are handled by the facilities are collected as an incidental part of a steel can recycling program; (2) The amounts of non-empty aerosol cans that are inadvertently collected are "de minimis" quantities; (3) The non-empty cans are discarded by households and do not come from industrial or commercial sources; or (4) The local sanitation agency has a program that informs the public that incompletely emptied aerosol cans should be taken to a household hazardous waste collection center.
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- SB 364**      **Wright - Household Hazardous Waste Transportation (Chapter 195, Statutes of 1995)**  
SB 364 modifies certain provisions for transport of identified household hazardous waste constituents. SB 364 authorizes temporary, mobile and recycle-only household hazardous waste collection centers to haul their collected wastes to a permanent household hazardous waste collection center. The transport of wastes is required to meet the normal requirements for hazardous waste handling (i.e., registered haulers and CHP-inspected vehicles as specified).
- SB 415**      **Thompson - RAPID Fees/Motor Carrier Charges (Chapter 72, Statutes of 1996)**  
As introduced, SB 415 would have extended the authorization to collect RAPID Force fees from surface transporters of hazardous materials until December 31, 1999, and would have reduced the amount of fees deposited into the Railroad Accident Prevention and Response Fund and made available for appropriation in any calendar year from \$3 million to \$2 million. *As subsequently amended, SB 415 prohibits a highway carrier from collecting specified charges*
- SB 649**      **Costa - Water Pollution (Chapter 1122, Statutes of 1996)**  
Existing law makes it a crime for a person to deposit in, permit to pass into, or place where it can pass into the waters of this state any of specified substances, including any petroleum, acid, coal or oil tar, lampblack, aniline, asphalt, bitumen, or residuary product of petroleum, or carbonaceous material or substance. SB 649 excepts from the application of that prohibition a deposit or release that is authorized or permitted pursuant to a permit or authorization from SWRCB.
- SB 651**      **Wright - Non-Certified Hazardous Waste Testing Laboratories (Chapter 301, Statutes of 1995)**  
SB 651 allows certain non-certified laboratories to conduct three types of analysis required by DTSC regulations: initial profile of a waste, the recharacterization and fingerprinting analyses.
- SB 845**      **Leonard - Public Agency Operated Household Hazardous Waste Collection Facilities (Chapter 672, Statutes of 1995)**  
SB 845 requires DTSC to develop separate regulations to simplify the permitting of permanent household hazardous waste collection facilities operated by a public agency, or its contractor, and allows public agencies to increase the amount of waste that may be brought to such facilities. SB 845 also provides that the regulations that DTSC is required to develop by March 31, 1996 shall apply only to household hazardous waste collection activities that are operated by a public agency, or its contractor, and allows public agencies to increase the waste disposal limits applicable to persons bringing hazardous waste to household hazardous waste collection facilities if specified conditions are met.
- SB 872**      **O'Connell - Unified Incident Command Team (Vetoed)**  
SB 872 would have required the administrator of the the Office of Oil Spill Prevention and Response in DFG to establish a unified incident command team when responding to an oil spill. The team would have consisted of the administrator, a local government representative, a representative of the party responsible for the spill, and the federal on-scene coordinator. Procedures were specified for the selection of a local government representative.
- SB 917**      **Kelley - Standardized Cleanup Procedures (Failed Passage)**  
SB 917 would have required the Secretary for Cal/EPA to review and revise cleanup procedures and standards for all state laws that were applicable to the cleanup of sites contaminated by hazardous substances. SB 917 would also have required: Cal/EPA to convene an advisory committee of experts who had experience in cleanup methods and the problems associated with site assessment and remediation by February 1, 1996; the advisory committee to make recommendations by September 1, 1996, concerning changes that should be made to cleanup procedures and standards that are used under the state Superfund law, the Porter-Cologne Act and other state cleanup laws; and Cal/EPA to adopt regulations by March 1, 1997, that specified the procedures and standards that would be applicable to all cleanups that take place under state law.
- SB 926**      **Calderon - Computer Data (Failed Passage)**  
SB 926 would have included computer data stored on magnetic media within the definition of "writing" in existing provisions of the Evidence Code, and would have provided that "writing," for the purposes of these provisions, included computer data stored on magnetic media including electronic mail.
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**SB 974****Alquist - State Agency Performance Audits (Failed Passage)**

SB 974 would have: created the performance Audit Joint Task Force consisting of the Governor and the Controller; required the Task Force, in consultation with the State Auditor, the Director of Finance, the Joint Legislative Budget Committee, the Joint Legislative Audit Committee and the Legislative Analyst to periodically identify state executive branch agencies, programs or practices likely to benefit from performance audits; required that performance audits of the selected executive agencies, programs or practices be completed in one year; and required the Task Force to periodically report to the Legislature on performance audit findings and recommendations.

**SB 1002 Dills - Hazardous Waste Classification (Failed Passage)**

SB 1002 would have changed California's hazardous waste classification system and provided that a waste was not a hazardous waste solely because of an ingredient which is not otherwise regulated by U.S.EPA.

**SB 1060 Peace - Minor Violations (Chapter 634, Statutes of 1995)**

SB 1060 makes a minor change to allow the DTSC or a designated officer to make a determination that a combination of minor violations warrant enforcement or penalty actions.

**SB 1063 Peace - Consolidation/Transportation of Remediation Wastes; Zinc (Chapter 437, Statutes of 1996)**

SB 1063, sponsored by Laidlaw Environmental Services and by the American Zinc Association, requires DTSC to review its requirements governing the consolidation of wastes and report any recommendations to the appropriate policy committees in both houses of the Legislature. In addition, SB 1063 requires DTSC to evaluate its hazardous waste identification criteria with regards to zinc.

**SB 1071 Calderon - CEQA Approvals (Failed Passage)**

Would have added a finding and declaration to CEQA stating that determining the wisdom of approving development projects is a delicate task, which requires a balancing of interests.

**SB 1107 Leslie - Unified Fee Surcharge Waiver (Chapter 635, Statutes of 1995)**

SB 1107 authorizes the Cal/EPA Secretary to waive the Unified Program surcharge in counties that apply for the waiver and meet specified requirements, including early consolidation of certain Unified Program elements, consolidation of an optional program element upon certification, and a demonstration of economic burden. The surcharge assessed in other counties is to be adjusted by the Secretary to cover the costs of administering the Program in those counties granted the waiver.

**SB 1133 Wright - Waste Classification Regulations Review (Failed Passage)**

SB 1133 would have allowed persons to petition the Director of OEHHA to review regulations adopted by DTSC for the identification of non-RCRA hazardous waste.

**SB 1135 Costa - Hazardous Waste Storage and Variances (Chapter 636, Statutes of 1995)**

SB 1135 eliminates the requirement to obtain a hazardous waste facilities permit for the storage of large quantities of liquid hazardous waste in tanks if the waste is stored onsite for less than 90 days, allow liquid hazardous waste being accumulated for lower risk treatment (conditionally exempt or conditionally authorized) to be held onsite for up to 180 days with DTSC's approval, exempts CESQGs, as specified, from the 90-day accumulation time limit and other management requirements if specific safety procedures are followed, and modifies DTSC's requirements for issuance of a variance.

**SB 1180 Calderon & Haynes - Military Base Reuse Plans Baseline (Chapter 861, Statutes of 1995)**

SB 1180 allows a lead agency responsible for the preparation and certification of a closed military base reuse plan to use the physical conditions present at the time the closure decision was made as a "baseline" for evaluating environmental impacts (this does not apply to soil or water contamination).

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**SB 1191 Calderon - Unified Program Jurisdiction and Responsibilities (Chapter 639, Statutes of 1995)**

SB 1191, a DTSC sponsored bill, implements the goals of the Unified Hazardous Waste and Hazardous Materials Regulatory Program by ensuring that when there is a certified unified program in a local jurisdiction, the CUPA has the legal responsibility for the programs that make up the unified program. SB 1191 also creates a unified permit system, broadens the scope of responsibility of unified programs, requires a study to determine if Uniform Fire Code permits should be made part of the unified program, and makes other minor cleanup amendments.

**SB 1222 Calderon - Hazardous Waste Management Reform Act (Chapter 638, Statutes of 1995)**

SB 1222 enacts the Hazardous Waste Management Reform Act of 1995. It reforms the state's hazardous waste management program by revising a number of state requirements that are inconsistent with federal requirements. This bill revises requirements pertaining to hazardous waste identification; treatment requirements; transportation of hazardous waste; hazardous waste facility operation; fee collection and the amount of fees paid. Specifically, SB 1222:

- requires disposal fees to be paid at a hazardous waste facility and transmitted to BOE (Gate Fee);
- allows DTSC to contract with another agency to collect DTSC fees, other than BOE;
- lowers the fee for nonRCRA hazardous waste from \$12 to \$7.50 per ton and lowers the fee for other nonRCRA hazardous waste from \$27.59 to 16.31 percent of the base rate for each ton;
- exempts transporting, importing or receiving non-RCRA waste from out of state from the generator fee;
- changes the reporting of disposal fees from quarterly to monthly; and
- requires BOE to transfer \$1.5 million in fee collection cost savings to DTSC.

**SB 1248 O'Connell - Local Officer Oversight of Cleanups (Chapter 671, Statutes of 1995)**

SB 1248 allows any person to request that a local officer supervise the cleanup of a release of waste to the environment, rather than the DTSC or a regional water quality control board, except under certain conditions.

**SB 1280 O'Connell - Land and Water Conservation (Failed Passage)**

SB 1280 would have stated the intent of the Legislature regarding the protection of wildlife habitat, open space, and agricultural lands.

**SB 1285 Killea - Lender Liability (Chapter 612, Statutes of 1996)**

SB 1285 exempts lenders and fiduciaries from liability resulting from the release of hazardous materials on property in which they have a legal interest but where they did not "directly" cause or contribute to the release or potential release of a hazardous substance.

**SB 1291 Wright - Hazardous Waste Facility Permit Applicability (Chapter 640, Statutes of 1995)**

SB 1291, a DTSC sponsored bill, augments and clarifies the tiered permitting program established by AB 1772 (Chapter 1345, Statutes of 1992), as well as other aspects of the nonRCRA program. SB 1291 changes: the activities identified as eligible for the onsite and standardized permit tiers; the process for converting from a full permit to the tiered permitting program; the process for adding new activities to the tiered permitting program; financial assurance requirements; fees for generators operating under multiple tiers; the notification process; the expiration date for standardized permit interim status; the exemption from the permitting requirements for certain low risk elementary neutralization activities in the food processing industry; an exemption for generators regulated by a POTW which is part of a CUPA; household hazardous waste collection facilities; permit modification procedures for inactive facilities authorized under interim status; and the variance process. SB 1291 also makes various minor and/or non-substantive technical amendments.

**SB 1295 Wright - Fee Exemption for Public Transportation Construction Wastes (Failed Passage)**

SB 1295 would have exempted hazardous wastes that are generated, released, discharged, spilled, transported, or leaked as a result of the construction of a public transportation system from hazardous waste fees.

**SB 1299 Peace - URGENCY - Permit Relief Community Pilot Program (Chapter 872, Statutes of 1995)**

SB 1299, an urgency statute, requires Cal/EPA to adopt regulations by January 1, 1997 to establish the "Permit Relief Community Pilot Program" consisting of specified application, administrative and enforcement process, and allowing for a subject facility to submit and operate in accordance with a compliance plan instead of separate environmental permits.

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**SB 1319 Calderon - State Superfund Extension (Chapter 678, Statutes of 1995)**

SB 1319, a DTSC sponsored bill, extends the Carpenter-Presley-Tanner Hazardous Substance Account Act (also known as the State Superfund Program) authority for an additional two years (to July 1, 1998).

**SB 1390 Johnston - Written Communications of State Agencies (Failed Passage)**

SB 1390 would have prohibited a state agency from accepting a written communication submitted by an attorney or any other representative on behalf of a client in a quasi-judicial proceeding unless the written communication clearly indicated the client.

**SB 1425 Kelley - Local Oversight of Redevelopment Agency Cleanups (Chapter 623, Statutes of 1996)**

SB 1425, sponsored by the Industrial Environmental Association, allows a redevelopment agency taking a remedial action to request cleanup guidelines not only from DTSC but also from the appropriate RWQCB. In addition, SB 1425 allows a redevelopment agency to request local agency oversight of its remedial action under the AB 2061 process (Site Designation Committee) and still retain specified liability immunities.

**SB 1432 Calderon - Environmental Audit Privilege (Failed Passage)**

SB 1432 would have provided that in any civil proceeding, an environmental audit report would be privileged, not admissible in the civil proceeding, and not subject to evidence discovery provisions.

**SB 1445 Kelley - Environmental Impact Reports (Chapter 757, Statutes of 1996)**

SB 1445 revises terminology in the current provisions of law relating to recycled water in the Government Code, the Health and Safety Code, and the Water Code.

**SB 1532 Wright - Generator Fee Exemption (Chapter 259, Statutes of 1996)**

SB 1532 provides a generator fee exemption if the generator received a facility fee exemption.

**SB 1545 Marks - Electronic Equipment Recycling (Vetoed)**

SB 1545 would have required DTSC, as part of the RSU, to review its regulatory requirements and evaluate alternative regulatory approaches to promote recycling of used electronic equipment.

**SB 1593 Solis - Funding for Richwood Water Company (Failed Passage)**

SB 1593 would have made an appropriation by authorizing funds appropriated to DTSC for the purchase, installation, operation and maintenance of activated carbon adsorption water treatment systems in the San Gabriel Valley to be used to provide persons residing within the Richwood Mutual Water Company service area with a substitute source of water supply if DHS determined that it was less costly to replace their water supply than to maintain and operate a carbon adsorption water treatment system on their behalf.

**SB 1598 Wright - Postponement of Phase I Environmental Assessment Requirement (Failed Passage)**

SB 1598 would have amended the date by which DTSC is required to develop a phase I environmental assessment checklist, and the date by which generators or owners or operators of facilities are required to submit completed phase I environmental assessments to DTSC or a unified program agency.

**SB 1620 Wright - Waste Discharge Requirements: Publicly Owned Treatment Works (Failed Passage)**

SB 1620 would have continued in effect the waste discharge requirements in effect on the effective date of the bill for certain publicly owned treatment works that discharge into effluent dependent water bodies, as defined, until 6 months after the date on which SWRCB adopts the Inland Surface Waters Plan and the Bays and Estuaries Plan.

**SB 1648 Wright - Petroleum Contaminated Debris (Chapter 214, Statutes of 1996)**

SB 1648, sponsored by the Western States Petroleum Association, exempts debris that is contaminated with petroleum or any of its fractions from regulation under the hazardous waste control laws under specified conditions. (Note: A subsequent letter to the Senate Daily Journal clarified that it is not the author's intent that debris include items such as containers or tanks.)



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**SB 1676 Mountjoy - Environmental Quality: Material Recovery Facility (Failed Passage)**

SB 1676 would have declared the intent of the Legislature and would have required a local lead agency, prior to preparing and certifying a final environmental impact report for a proposed material recovery facility, to hold one or more public hearings.

**SB 1706 Wright - Variance Authority, Biomass Ash, Interim Status, Electronic Reporting (Chapter 962, Statutes of 1996)**

SB 1706: (1) authorizes DTSC to grant a specific variance from federal requirements; (2) conditionally excludes from regulation biomass ash which is hazardous solely due to corrosivity; (3) terminates or reduces the grant of interim status of a facility upon specific conditions; and (4) expands the role of electronic reporting of data to local and state agencies.

**SB 1720 Alquist - Earthquake Protection: Acutely Hazardous Wastes (Failed Passage)**

SB 1720 would have stated the intent of the Legislature to increase earthquake protection in the state, and would have specified additional requirements for businesses handling acutely hazardous wastes.

**SB 1752 Sher - Environmental Audit Disclosure (Failed Passage)**

SB 1752 would have enacted the Environmental Audit Incentive Act of 1996, which would have prevented a regulatory agency from assessing any civil or administrative sanction against any business that disclosed a minor violation of an environmental requirement discovered during an environmental audit, provided specific conditions were met. For violations other than minor violations, SB 1752 would have provided for a reduction in criminal or civil penalties.

**SB 1757 Calderon - SB 923 Arbitration Costs; Variances (Chapter 632, Statutes of 1996)**

SB 1757 corrects an oversight made in SB 1222 (Chapter 638, Statutes of 1995) regarding LDRs and corrects a reference to allow DTSC to grant LDR variances for federal wastes if such authority has been granted to DTSC by the U. S. EPA. SB 1757 also provides that RPs will pay for one-thirtieth of DTSC's costs to implement and administer the ERAP and exempts RPs from having to pay the costs of any arbitration initiated by another RP in a remedial action.

**SB 1824 Costa - Sunset of Unified Program Agencies Surcharge (Failed Passage)**

SB 1824 would have sunsetted the Unified Program State Surcharge in January, 1998, and expanded a legislatively mandated fee waiver program designed to assist only rural counties to include all cities and counties potentially identified as CUPAs.

**SB 1839 Killea - URGENCY - Hazardous Waste Fees Prepayment (Chapter 226, Statutes of 1996)**

SB 1839, an urgency statute, provides that the prepayment of a generator fee is not required for any amount due that is less than five hundred dollars (\$500), or for any other amount due if BOE determines that prepayment is not in the best economic interest of the program.

**SB 1874 Alquist - General Plans: Safety Elements (Failed Passage)**

SB 1874 would have required the Division of Mines and Geology to review draft safety elements and draft amendments of General Plans to determine if they incorporated the seismic hazards identified under the Seismic Hazards Mapping Act. SB 1874 would have added the location of hazardous materials to the required contents of safety elements, and would have required cities and counties to review their safety elements every five years and, if needed, revise the elements to incorporate new information.

**SB 1889 Calderon - Hazardous Materials - Accidental Release (Chapter 715, Statutes of 1996)**

SB 1889 revises the California RMPP for accidental releases of regulated substances to conform to the recently promulgated federal accident prevention program while retaining specific provisions of the California program.

**SB 1899 Alquist - CEQA Exemption (Chapter 500, Statutes of 1996)**

SB 1899 exempts from CEQA specified actions taken on or after July 1, 1995, by a public agency to implement public agency budget reductions caused by the failure of the agency revenues to adequately fund agency programs and facilities.



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**SB 1910 Johannessen - Computer Access to California Code of Regulations (Chapter 501, Statutes of 1996)**

SB 1910 requires the Office Administrative Law to make the California Code of Regulations available on the Internet, free of charge, on and after July 1, 1998, and authorizes OAL to contract with another state agency or private entity in order to provide this service.

**SB 1966 Wright - Waste Pharmaceuticals (Chapter 536, Statutes of 1996)**

SB 1966, sponsored by Senator Wright, transfers regulatory authority over waste pharmaceuticals that are not RCRA hazardous wastes from DTSC to DHS.

**SB 1979 O'Connell - Used Oil: Hazardous Waste Presumption (Chapter 901, Statutes of 1996)**

SB 1979, sponsored by Evergreen Oil, revises the rebuttal to the hazardous waste presumption provisions found in the existing definition of used oil. This bill also contains other provisions related to used oil and grants made available by the California Integrated Waste Management Board.

**SB 2083 Leslie - CEQA: Anticompetitive Actions (Failed Passage)**

SB 2083 would have prescribed procedures for a court to follow in an action or proceeding to attack, review, set aside, void, or annul a determination, finding, or decision of a public agency to determine whether a petitioner lacks standing because the action was brought to limit economic competition or gain economic advantage, and to dismiss the action or proceeding upon making that finding.

**SB 2128 Haynes - CEQA: Environmental Impact Reports (Failed Passage)**

SB 2128 would have authorized a master environmental impact report to be prepared for any project.

**SB 2131 Johannessen - State of Emergency: Suspension of Environmental Laws (Failed Passage)**

SB 2131 would have authorized the Governor, during a state of emergency, to suspend any statute, or any state agency rule, regulation, or order, that is intended to impose any requirement upon, or restrict any action of any person for the purpose of preserving, protecting, enhancing, or utilizing the environment.

**SR 23 O'Connell - Toxic Awareness Week**

SR 23 establishes the week of May 14, 1995 as Toxics Awareness Week to urge Californians to reflect upon the role that hazardous materials play in the state's daily domestic and commercial existence and to encourage public schools and businesses to sponsor programs to inform students and employees of accident prevention measures that should be taken in response to hazardous waste accidents.

**SR 29 O'Connell - California Land Reuse Accord**

SR 29 establishes the California Land Reuse Accord to serve as an appropriate model for participants involved in a contaminated site cleanup. The accord suggests a set of principles and procedures that participants may elect to follow to facilitate open communication.

**SR 37 O'Connell - Toxic Awareness Week**

SR 37 establishes the week of May 12, 1996 as Toxics Awareness Week to urge Californians to reflect upon the role that hazardous materials play in the state's daily domestic and commercial existence and to encourage public schools and businesses to sponsor programs to inform students and employees of accident prevention measures that should be taken in response to hazardous waste accidents.

**SCR 43 Kopp - California Law Revision Commission**

SCR 43 gives legislative approval to the California Law Revision Commission to continue its study of numerous, specified topics that the Legislature has previously authorized or directed the commission to study, and refers to the commission for study the new topic of whether the California law of contracts should be revised.

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# Bill Subject Index

## Administration:

AB 4	Bates	Public Access to Government Information	(Failed Passage)
AB 116	Speier	Legislative Reports	(Chapter 970, Statutes of 1996)
AB 142	Bowen	Electronic Public records	(Failed Passage)
AB 1142	Baldwin	State Regulations: Adverse Job Creation Impact	(Failed Passage)
AB 1179	Bordonaro	State Regulations: Cost Effectiveness	(Failed Passage)
AB 1180	Morrissey	Small Business Dispute Adjudication	(Two Year Bill)
AB 1651	Richter	DTSC Indirect Rate Task Force Codification	(Chapter 576, Statutes of 1996)
AB 1857	Brewer	State Regulations: Economic Impact	(Failed Passage)
AB 1947	Battin	Local Agency Hazardous Materials Regulations	(Chapter 980, Statutes of 1996)
		Administrative Procedures Act	
AB 2458	Figueroa	Reports to the Legislature	(Chapter 818, Statutes of 1996)
AB 2684	Kaloogian	Abolition and Review of State Regulatory Agencies	(Failed Passage)
AB 2793	Baldwin	Administrative Regulations Plans	(Failed Passage)
AB 2896	Goldsmith	Cost Benefit Analysis for Adoption of Regulations	(Failed Passage)
AB 3146	Brewer	State Duplication of Federal Regulations	(Failed Passage)
AB 3158	Olberg	Environmental Regulatory Cost -Effectiveness Commission	(Failed Passage)
AB 3477	Assembly Committee on Environmental Safety and Toxic Materials	Unified Code of Environmental Statutes	(Failed Passage)
SB 297	Campbell	Regulatory Activity Principle Contact	(Chapter 650, Statutes of 1995)
SB 329	Campbell	State Regulations: Legislature Oversight	(Failed Passage)
SB 337	Campbell	State Regulations: Economic Hardship and Restriction	(Failed Passage)
SB 339	Campbell	State Regulations: Expiration Date	(Failed Passage)
SB 926	Calderon	Computer Data	(Failed Passage)
SB 974	Alquist	State Agency Performance Audits	(Failed Passage)
SB 1390	Johnston	Written Communications of State Agencies	(Failed Passage)
SB 1706	Wright	Variance Authority; Biomass Ash; Interim Status; Electronic Reporting	(Chapter 962, Statutes of 1996)
SB 1910	Johannessen	Computer Access to the California Code of Regulations	(Chapter 501, Statutes of 1996)

## Air Quality:

AB 177	Mountjoy	California Environmental Enhancement Act	(Failed Passage)
AB 2937	Brulte	“Fix-it” Tickets for Air and Water Quality Violations	(Chapter 775, Statutes of 1996)
AB 3206	Escutia	Permit Term for Hazardous Waste Facilities/ <i>South Coast AQMD</i>	(Failed Passage)

## Asbestos:

AB 59	Sher	Solid Waste Management Facilities (Urgency)	(Chapter 952, Statutes of 1995)
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## CEQA:

AB 165	Richter	Environmental Impact Reports	(Failed Passage)
AB 1287	Cortese	Environmental Subdivisions	(Chapter 955, Statutes of 1995)
AB 1329	Olberg	CEQA Project Definition	(Failed Passage)
AB 1782	Brewer	CEQA Noncompliance	(Failed Passage)
AB 1860	Allen	CEQA: Notice of Determination	(Chapter 801, Statutes of 1995)
AB 1930	Sweeney	CEQA: Project Development Time Frame	(Chapter 808, Statutes of 1996)
AB 1935	Sweeney	CEQA Exemptions	(Failed Passage)
AB 2099	Miller	CEQA: Environmental Impact Reports	(Failed Passage)
AB 2963	Firestone	CEQA: Local Agency Responsibilities	(Chapter 825, Statutes of 1996)
AB 3006	Machado	CEQA: Project Alternatives	(Failed Passage)
AB 3045	Olberg	CEQA Requirements for DoD Facilities	(Failed Passage)
AB 3049	Olberg	CEQA: Environmental Impact Reports	(Failed Passage)
SB 57	Leonard	CEQA Exemption	(Failed Passage)
SB 1071	Calderon	CEQA Approvals	(Failed Passage)
SB 1180	Calderon & Haynes	Military Base Reuse Plans: Baseline	(Chapter 861, Statutes of 1995)
SB 1445	Kelley	Environmental Impact Reports	(Chapter 757, Statutes of 1996)
SB 1676	Mountjoy	Environmental Quality: Material Recovery Facility	(Failed Passage)
SB 1899	Alquist	CEQA Exemption	(Chapter 500, Statutes of 1996)
SB 2083	Leslie	CEQA: Anticompetitive Actions	(Failed Passage)
SB 2128	Haynes	CEQA: Environmental Impact Reports	(Failed Passage)

## Contingent Management Standards:

AB 437	Morrow	Oil-Filled Electrical Equipment	(Chapter 626, Statutes of 1995)
AB 483	Alpert	Hazardous Waste Facility Permit Exemptions	(Chapter 625, Statutes of 1995)
AB 1060	Richter	Hazardous Waste Staging in Waste Piles	(Chapter 627, Statutes of 1995)
AB 1822	Richter	Exemption of Kraft Pulping Liquors	(Chapter 401, Statutes of 1995)
<u>AB 2776</u>	<u>Miller</u>	<u>RSU Facilitation</u>	<u>(Chapter 999, Statutes of 1996)</u>
AB 3198	Rainey	Hazardous Waste Consolidation Sites	(Failed Passage)
AB 3329	Campbell	Prohibition on Disposal of Hazardous Materials	(Failed Passage)
SB 1135	Costa	Hazardous Waste Storage and Variances	(Chapter 636, Statutes of 1995)
<u>SB 1291</u>	<u>Wright</u>	<u>Hazardous Waste Facility Permit Applicability</u>	<u>(Chapter 640, Statutes of 1995)</u>
SB 1063	Peace	Consolidation/Transportation of Remediation Wastes; Zinc	(Chapter 437, Statutes of 1996)

## Cost Recovery:

AB 1651	Richter	DTSC Indirect Rate Task Force Codification	(Chapter 576, Statutes of 1996)
AB 2163	Rainey	Funding for ASARCO Cleanup	(Failed Passage)
AB 3442	Sweeney	Cleanup of Unclaimed Property	(Failed Passage)
SB 18	Senate Committee on Appropriations	Payment of Judgements & Settlement Claims against the State of California	(Chapter 702, Statutes of 1996)
SB 324	Calderon	Environmental Responsibility Acceptance Act	(Vetoed)
SB 1285	Killea	Lender Liability	(Chapter 612, Statutes of 1996)
SB 1593	Solis	Funding for Richwood Water Company	(Failed Passage)

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## CUPAs:

AB 1943	Bordonaro	Pre-Certification of Equipment	(Chapter 367, Statutes of 1996)
SB 1107	Leslie	Unified Fee Surcharge Waiver	(Chapter 635, Statutes of 1995)
<u>SB 1191</u>	<u>Calderon</u>	<u>Unified Program Jurisdiction and Responsibilities</u>	<u>(Chapter 639, Statutes of 1995)</u>
<u>SB 1291</u>	<u>Wright</u>	<u>Hazardous Waste Facility Permit Applicability</u>	<u>(Chapter 640, Statutes of 1995)</u>
SB 1706	Wright	Variance Authority; Biomass Ash; Interim Status; Electronic Reporting	(Chapter 962, Statutes of 1996)
SB 1824	Costa	Sunset of Unified Program Agencies Surcharge	(Failed Passage)

## Emergency Response:

AB 42	Baca	Hazardous Materials Risk Management	(Failed Passage)
AB 204	Cannella	Above Ground Spill Reporting Requirements	(Chapter 155, Statutes of 1995)
SB 415	Thompson	RAPID Fees/ <i>Motor Carrier Charges</i>	(Chapter 72, Statutes of 1996)
SB 872	O'Connell	Unified Incident Command Team	(Vetoed)
SB 1889	Calderon	Hazardous Materials - Accidental Release	(Chapter 715, Statutes of 1996)
SB 2131	Johannessen	State of Emergency: Suspension of Environmental Laws	(Failed Passage)

## Enforcement:

AB 59	Sher	Solid Waste Management Facilities (Urgency)	(Chapter 952, Statutes of 1995)
AB 602	Ducheny	Recovery of Treble Damages by RWQCBs	(Failed Passage)
AB 856	Caldera	Environmental Audit Protection Act	(Failed Passage)
AB 1180	Morrissey	Small Business Dispute Adjudication	(Failed Passage)
AB 2102	Rainey	Exemption for Gypsum Substitutes	(Failed Passage)
AB 2858	Machado	Environmental Audit Reports Privilege/ <i>Procurement of Recycled Paper Products</i>	(Failed Passage)
AB 2937	Brulte	“Fix-it” Tickets for Air and Water Quality Violations	(Chapter 775, Statutes of 1996)
AB 3023	Sher	Environmental Audits Disclosure	(Failed Passage)
AB 3303	House	Searches by Public Employees	(Failed Passage)
AB 3476	Assembly Committee on Environmental Safety and Toxic Materials	Cal/EPA Compliance Performance Awards	(Failed Passage)
AB 3477	Assembly Committee on Environmental Safety and Toxic Materials	Unified Code of Environmental Statutes	(Failed Passage)
SB 649	Costa	Water Pollution	(Chapter 1122, Statutes of 1996)
SB 1060	Peace	Minor Violations	(Chapter 634, Statutes of 1995)
<u>SB 1191</u>	<u>Calderon</u>	<u>Unified Program Jurisdiction and Responsibilities</u>	<u>(Chapter 639, Statutes of 1995)</u>
SB 1222	Calderon	Hazardous Waste Management Reform Act	(Chapter 638, Statutes of 1995)
SB 1432	Calderon	Environmental Audit Privilege	(Failed Passage)
SB 1752	Sher	Environmental Audits Disclosure	(Failed Passage)
SB 2131	Johannessen	State of Emergency: Suspension of Environmental Laws	(Failed Passage)

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## Environmental Audits:

AB 856	Caldera	Environmental Audit Protection Act	(Failed Passage)
AB 2858	Machado	Environmental Audit Reports Privilege/ <i>Procurement of Recycled Paper Products</i>	(Failed Passage)
AB 3023	Sher	Environmental Audits Disclosure	(Failed Passage)
SB 1432	Calderon	Environmental Audit Privilege	(Failed Passage)
SB 1752	Sher	Environmental Audits Disclosure	(Failed Passage)

## Environmental Laboratories

AB 3475	Assembly Committee on Environmental Safety and Toxic Materials	Third Party Laboratory Accreditation/Certification	(Chapter 747, Statutes of 1996)
SB 651	Wright	Non-Certified Hazardous Waste Testing Laboratories	(Chapter 301, Statutes of 1995)

## Environmental Technology/Treatment Technologies:

AB 483	Alpert	Hazardous Waste Facility Permit Exemptions	(Chapter 625, Statutes of 1995)
AB 1540	Weggeland	Exempt Quantities for Treatability Studies	(Chapter 294, Statutes of 1995)
AB 1943	Bordonaro	Pre-Certification of Equipment	(Chapter 367, Statutes of 1996)
<u>AB 2776</u>	<u>Miller</u>	<u>RSU Facilitation</u>	<u>(Chapter 999, Statutes of 1996)</u>
SB 1222	Calderon	Hazardous Waste Management Reform Act	(Chapter 638, Statutes of 1995)

## Fees/Taxes:

AB 177	Mountjoy	California Environmental Enhancement Act	(Failed Passage)
AB 573	Goldsmith	Expenditure of Fines and Penalties	(Failed Passage)
<u>AB 645</u>	<u>Frusetta</u>	<u>Emergency Fee Relief</u>	<u>(Chapter 688, Statutes of 1996)</u>
AB 863	Aguiar	Permit Reform Act Fees	(Failed Passage)
<u>AB 1245</u>	<u>Frusetta</u>	<u>Exempt Hazardous Waste Transfer Facilities</u>	<u>(Chapter 628, Statutes of 1995)</u>
AB 1328	Olberg	Fee Payment Linked to Permit Turnaround	(Failed Passage)
AB 1475	Pringle	Regulatory Fee Inventory	(Chapter 1127, Statutes of 1996)
<u>AB 1888</u>	<u>Alby</u>	<u>Hazardous Waste Fees</u>	<u>(Failed Passage)</u>
AB 1906	Sher	Hazardous Waste Fee Consolidation	(Chapter 637, Statutes of 1995)
AB 1964	Figueroa	Hazardous Waste Fees	(Chapter 630, Statutes of 1995)
<u>AB 2201</u>	<u>House</u>	<u>Cargo Tank &amp; Hazardous Waste Transporter Inspections</u>	<u>(Chapter 539, Statutes of 1996)</u>
AB 2402	Miller	Report to Legislature on Number of Fines Greater Than \$5000	(Failed Passage)
AB 2796	Baldwin	Deposit of Fines and Penalties into General Fund	(Failed Passage)
SB 338	Campbell	Expenditure of Fines and Penalties	(Chapter 654, Statutes of 1995)
SB 342	Campbell	State Agency Fees	(Chapter 685, Statutes of 1995)
SB 415	Thompson	RAPID Fees/ <i>Motor Carrier Charges</i>	(Chapter 72, Statutes of 1996)
SB 1107	Leslie	Unified Fee Surcharge Waiver	(Chapter 635, Statutes of 1995)
SB 1222	Calderon	Hazardous Waste Management Reform Act	(Chapter 638, Statutes of 1995)
<u>SB 1291</u>	<u>Wright</u>	<u>Hazardous Waste Facility Permit Applicability</u>	<u>(Chapter 640, Statutes of 1995)</u>

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## Fees/Taxes (continued):

SB 1295	Wright	Fee Exemption for Public Transportation Construction Wastes	(Failed Passage)
SB 1532	Wright	Generator Fee Exemption	(Chapter 259, Statutes of 1996)
SB 1824	Costa	Sunset of Unified Program Agencies Surcharge	(Failed Passage)
SB 1839	Killea	Hazardous Waste Fees Prepayment	(Chapter 226, Statutes of 1996)

## Fines/Penalties:

AB 573	Goldsmith	Expenditure of Fines and Penalties/ <i>Restitution for Prison Damage</i>	(Chapter 803, Statutes of 1996)
AB 2402	Miller	Report to Legislature on Number of Fines Greater Than \$5000	(Failed Passage)
AB 2796	Baldwin	Deposit of Fines and Penalties into General Fund	(Failed Passage)
AB 3159	Olberg	Fines/Penalties for Intentional and Negligent Violations	(Failed Passage)
SB 338	Campbell	Expenditure of Fines and Penalties	(Chapter 654, Statutes of 1995)

## Generator Accumulation:

AB 1060	Richter	Hazardous Waste Staging in Waste Piles	(Chapter 627, Statutes of 1995)
AB 3198	Rainey	Hazardous Waste Consolidation Sites	(Failed Passage)
AB 3474	Assembly Committee on Environmental Safety and Toxic Materials	Recycling Law Cleanup	(Chapter 433, Statutes of 1996)
SB 1135	Costa	Hazardous Waste Storage and Variances	(Chapter 636, Statutes of 1995)
<u>SB 1291</u>	<u>Wright</u>	<u>Hazardous Waste Facility Permit Applicability</u>	<u>(Chapter 640, Statutes of 1995)</u>

## Hazardous Materials:

AB 42	Baca	Hazardous Materials Risk Management	(Failed Passage)
AB 204	Cannella	Above Ground Spill Reporting Requirements	(Chapter 155, Statutes of 1995)
AB 1434	Firestone	Underground Storage Tank Loan Program	(Chapter 814, Statutes of 1995)
AB 1947	Battin	Local Agency Hazardous Materials Regulations Administrative Procedures Act	(Chapter 980, Statutes of 1996)
AB 3329	Campbell	Prohibition on Disposal of Hazardous Materials	(Failed Passage)
SB 176	Alquist	Household Hazardous Substances: Competent and Reliable Information	(Failed Passage)
SB 231	Hughes	Eminent Domain Cleanup Provisions	(Chapter 247, Statutes of 1995)
SB 1720	Alquist	Earthquake Protection: Acutely Hazardous Wastes	(Failed Passage)
SB 1889	Calderon	Hazardous Materials - Accidental Release	(Chapter 715, Statutes of 1996)



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## Household Hazardous Waste:

AB 1530	Richter	Battery Management	(Chapter 575, Statutes of 1996)
AB 2202	Baca	Materials Exchange Programs	(Chapter 647, Statutes of 1996)
SB 176	Alquist	Household Hazardous Substances: Competent and Reliable Information	(Failed Passage)
SB 219	Thompson	Collection of Non-Lead-Acid Batteries	(Chapter 633, Statutes of 1995)
SB 289	Wright	Transportable Treatment Units	(Chapter 423, Statutes of 1995)
SB 352	Wright	Steel and Aerosol Can Recycling	(Chapter 424, Statutes of 1995)
SB 364	Wright	Household Hazardous Waste Transportation	(Chapter 195, Statutes of 1995)
SB 845	Leonard	Public Agency Operated Household Hazardous Waste Collection Facilities	(Chapter 672, Statutes of 1995)
<u>SB 1291</u>	<u>Wright</u>	<u>Hazardous Waste Facility Permit Applicability</u>	<u>(Chapter 640, Statutes of 1995)</u>

## Land Disposal Units:

AB 1060	Richter	Hazardous Waste Staging in Waste Piles	(Chapter 627, Statutes of 1995)
AB 3198	Rainey	Hazardous Waste Consolidation Sites	(Failed Passage)
SB 1063	Peace	Consolidation/Transportation of Remediation Wastes; Zinc	(Chapter 437, Statutes of 1996)
<u>SB 1291</u>	<u>Wright</u>	<u>Hazardous Waste Facility Permit Applicability</u>	<u>(Chapter 640, Statutes of 1995)</u>

## Land Use Issues:

AB 1287	Cortese	Environmental Subdivisions	(Chapter 955, Statutes of 1995)
AB 1319	Olberg	Protection of Private Property Rights	(Failed Passage)
AB 1329	Olberg	CEQA Project Definition	(Failed Passage)
AB 2266	Cortese	Wildlife Habitat: Endangered Species	(Failed Passage)
SB 231	Hughes	Eminent Domain Cleanup Provisions	(Chapter 247, Statutes of 1995)
SB 324	Calderon	Environmental Responsibility Acceptance Act	(Vetoed)
SB 1063	Peace	Consolidation/Transportation of Remediation Wastes; Zinc	(Chapter 437, Statutes of 1996)
SB 1280	O'Connell	Land and Water Conservation	(Failed Passage)

## Local Government:

AB 42	Baca	Hazardous Materials Risk Management	(Failed Passage)
AB 1287	Cortese	Environmental Subdivisions	(Chapter 955, Statutes of 1995)
AB 1943	Bordonaro	Pre-Certification of Equipment	(Chapter 367, Statutes of 1996)
AB 1947	Battin	Local Agency Hazardous Materials Regulations Administrative Procedures Act	(Chapter 980, Statutes of 1996)
AB 3329	Campbell	Prohibition on Disposal of Hazardous Materials	(Failed Passage)
SB 176	Alquist	Household Hazardous Substances: Competent and Reliable Information	(Failed Passage)
<u>SB 1191</u>	<u>Calderon</u>	<u>Unified Program Jurisdiction and Responsibilities</u>	<u>(Chapter 639, Statutes of 1995)</u>
SB 1248	O'Connell	Local Officer Oversight of Cleanups	(Chapter 671, Statutes of 1995)
SB 1425	Kelley	Local Oversight of Redevelopment Agency Cleanups	(Chapter 623, Statutes of 1996)



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## Local Government (continued):

SB 1824	Costa	Sunset of Unified Program Agencies Surcharge	(Failed Passage)
SB 1874	Alquist	General Plans: Safety Elements	(Failed Passage)
SB 1889	Calderon	Hazardous Materials - Accidental Release	(Chapter 715, Statutes of 1996)

## Military Base Closures/Conversions:

AB 3045	Olberg	CEQA Requirements for DoD Facilities	(Failed Passage)
SB 80	Mello	CEQA: Fort Ord Reuse Authority	(Failed Passage)
SB 1180	Calderon & Haynes	Military Base Reuse Plans: Baseline	(Chapter 861, Statutes of 1995)

## Permitting/Variances:

AB 483	Alpert	Hazardous Waste Facility Permit Exemptions	(Chapter 625, Statutes of 1995)
AB 1060	Richter	Hazardous Waste Staging in Waste Piles	(Chapter 627, Statutes of 1995)
AB 1328	Olberg	Fee Payment Linked to Permit Turnaround	(Failed Passage)
AB 1909	Campbell	Cement Kiln Dust	(Failed Passage)
AB 1943	Bordonaro	Pre-Certification of Equipment	(Chapter 367, Statutes of 1996)
AB 1966	Figueroa	Spent Copper Cleaners and Conditioners	(Chapter 631, Statutes of 1995)
AB 2102	Rainey	Exemption for Gypsum Substitutes	(Failed Passage)
<u>AB 2776</u>	<u>Miller</u>	<u>RSU Facilitation</u>	<u>(Chapter 999, Statutes of 1996)</u>
AB 3044	Olberg	Permit Application Process-Repair & Maintenance Projects	(Chapter 776, Statutes of 1996)
AB 3198	Rainey	Hazardous Waste Consolidation Sites	(Failed Passage)
AB 3206	Escutia	Permit Term for Hazardous Waste Facilities/ <i>South Coast AQMD</i>	(Failed Passage)
AB 3292	Sher	Small Business Environmental Permit Assistance Centers	(Failed Passage)
AB 3329	Campbell	Prohibition on Disposal of Hazardous Materials	(Failed Passage)
SB 130	Costa	Recovery and Recycling of Used Oil	(Chapter 632, Statutes of 1995)
SB 289	Wright	Transportable Treatment Units	(Chapter 423, Statutes of 1995)
SB 297	Campbell	Regulatory Activity Principle Contact	(Chapter 650, Statutes of 1995)
SB 651	Wright	Non-Certified Hazardous Waste Testing Laboratories	(Chapter 301, Statutes of 1995)
SB 1135	Costa	Hazardous Waste Storage and Variances	(Chapter 636, Statutes of 1995)
SB 1222	Calderon	Hazardous Waste Management Reform Act	(Chapter 638, Statutes of 1995)
<u>SB 1291</u>	<u>Wright</u>	<u>Hazardous Waste Facility Permit Applicability</u>	<u>(Chapter 640, Statutes of 1995)</u>
SB 1299	Peace	Permit Relief Community Pilot Program	(Chapter 872, Statutes of 1995)
SB 1532	Wright	Generator Fee Exemption	(Chapter 259, Statutes of 1996)
SB 1598	Wright	Postponement of Phase I Environmental Assessment Requirement	(Failed Passage)
SB 1648	Wright	Petroleum Contaminated Debris	(Chapter 214, Statutes of 1996)
SB 1706	Wright	Variance Authority; Biomass Ash; Interim Status; Electronic Reporting	(Chapter 962, Statutes of 1996)
SB 1720	Alquist	Earthquake Protection: Acutely Hazardous Wastes	(Failed Passage)
SB 1757	Calderon	SB 923 Arbitration Costs; Variances	(Chapter 632, Statutes of 1996)
SB 1966	Wright	Waste Pharmaceuticals	(Chapter 536, Statutes of 1996)

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## Public Records:

AB 4	Bates	Public Access to Government Information	(Failed Passage)
AB 141	Bowen	Public Records	(Chapter 108, Statutes of 1995)
AB 142	Bowen	Electronic Public records	(Failed Passage)
SB 1910	Johannessen	Computer Access to the California Code of Regulations	(Chapter 501, Statutes of 1996)

## Recycling:

AB 353	Richter	Revision of Recyclable Material Definition	(Failed Passage)
AB 483	Alpert	Hazardous Waste Facility Permit Exemptions	(Chapter 625, Statutes of 1995)
AB 1530	Richter	Battery Management	(Chapter 575, Statutes of 1996)
AB 1822	Richter	Exemption of Kraft Pulping Liquors	(Chapter 401, Statutes of 1995)
AB 2088	Alpert	Intermediate Manufacturing Process Streams	(Chapter 579, Statutes of 1996)
AB 2102	Rainey	Exemption for Gypsum Substitutes	(Failed Passage)
AB 2559	Setencich	Dielectric Fluid Management	(Vetoed)
AB 3474	Assembly Committee on Environmental Safety and Toxic Materials	Recycling Law Cleanup	(Chapter 433, Statutes of 1996)
SB 130	Costa	Recovery and Recycling of Used Oil	(Chapter 632, Statutes of 1995)
SB 219	Thompson	Collection of Non-Lead-Acid Batteries	(Chapter 633, Statutes of 1995)
SB 289	Wright	Transportable Treatment Units	(Chapter 423, Statutes of 1995)
SB 352	Wright	Steel and Aerosol Can Recycling	(Chapter 424, Statutes of 1995)
SB 1545	Marks	Electronic Equipment Recycling	(Vetoed)

## Regulations/Process/Adoption:

AB 250	Baldwin	Suspension or Repeal of State Regulations	(Failed Passage)
AB 644	Richter	Hazardous Waste Identification Systems	(Failed Passage)
AB 1142	Baldwin	State Regulations: Adverse Job Creation Impact	(Failed Passage)
AB 1160	Morrissey	Suspension or Repeal of State Regulations/ <i>Occupational Safety &amp; Health Requirements</i>	(Failed Passage)
AB 1179	Bordonaro	State Regulations: Cost Effectiveness	(Failed Passage)
AB 1659	Woods	State Regulations: Disclosure: Risk Assessment: Cost/Benefit	(Failed Passage)
AB 1857	Brewer	State Regulations: Economic Impact	(Failed Passage)
AB 1947	Battin	Local Agency Hazardous Materials Regulations Administrative Procedures Act	(Chapter 980, Statutes of 1996)
AB 2793	Baldwin	Administrative Regulations Plans	(Failed Passage)
AB 2896	Goldsmith	Cost Benefit Analysis for Adoption of Regulations	(Failed Passage)
AB 3146	Brewer	State Duplication of Federal Regulations	(Failed Passage)
AB 3158	Olberg	Environmental Regulatory Cost -Effectiveness Commission	(Failed Passage)
SB 297	Campbell	Regulatory Activity Principle Contact	(Chapter 650, Statutes of 1995)
SB 329	Campbell	State Regulations: Legislature Oversight	(Failed Passage)
SB 337	Campbell	State Regulations: Economic Hardship and Restriction	(Failed Passage)
SB 339	Campbell	State Regulations: Expiration Date	(Failed Passage)
SB 1133	Wright	Waste Classification Regulations Review	(Failed Passage)



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## Regulatory Reform:

AB 1155	Morrissey	State and Federal Hazardous Waste Programs	(Failed Passage)
AB 1475	Pringle	Regulatory Fee Inventory	(Chapter 1127, Statutes of 1996)
AB 1573	Kevin Murray	Small Business Regulatory Streamlining	(Failed Passage)
AB 1740	Mazzoni	State and Federal Hazardous Waste Programs	(Failed Passage)
AB 2684	Kaloogian	Abolition and Review of State Regulatory Agencies	(Failed Passage)
AB 3292	Sher	Small Business Environmental Permit Assistance Centers	(Failed Passage)
AB 3476	Assembly Committee on Environmental Safety and Toxic Materials	Cal/EPA Compliance Performance Awards	(Failed Passage)
AB 3477	Assembly Committee on Environmental Safety and Toxic Materials	Unified Code of Environmental Statutes	(Failed Passage)
SB 651	Wright	Non-Certified Hazardous Waste Testing Laboratories	(Chapter 301, Statutes of 1995)
SB 1222	Calderon	Hazardous Waste Management Reform Act	(Chapter 638, Statutes of 1995)
SB 1910	Johannessen	Computer Access to the California Code of Regulations	(Chapter 501, Statutes of 1996)

## Regulatory Structure Update:

AB 644	Richter	Hazardous Waste Identification Systems	(Failed Passage)
AB 1530	Richter	Battery Management	(Chapter 575, Statutes of 1996)
AB 2088	Alpert	Intermediate Manufacturing Process Streams	(Chapter 579, Statutes of 1996)
AB 2102	Rainey	Exemption for Gypsum Substitutes	(Failed Passage)
AB 2559	Setencich	Dielectric Fluid Management	(Vetoed)
<u>AB 2776</u>	<u>Miller</u>	<u>RSU Facilitation</u>	<u>(Chapter 999, Statutes of 1996)</u>
AB 3198	Rainey	Hazardous Waste Consolidation Sites	(Failed Passage)
SB 1063	Peace	Consolidation/Transportation of Remediation Wastes; Zinc	(Chapter 437, Statutes of 1996)
SB 1545	Marks	Electronic Equipment Recycling	(Vetoed)
SB 1598	Wright	Postponement of Phase I Environmental Assessment Requirement	(Failed Passage)
SB 1648	Wright	Petroleum Contaminated Debris	(Chapter 214, Statutes of 1996)
SB 1706	Wright	Variance Authority; Biomass Ash; Interim Status; Electronic Reporting	(Chapter 962, Statutes of 1996)
SB 1757	Calderon	SB 923 Arbitration Costs; Variances	(Chapter 632, Statutes of 1996)
SB 1966	Wright	Waste Pharmaceuticals	(Chapter 536, Statutes of 1996)
SB 1979	O'Connell	Used Oil: Hazardous Waste Presumption	(Chapter 901, Statutes of 1996)

## Reports:

AB 116	Speier	Legislative Reports	(Chapter 970, Statutes of 1996)
AB 2458	Figueroa	Reports to the Legislature	(Chapter 818, Statutes of 1996)
SB 1706	Wright	Variance Authority; Biomass Ash; Interim Status; Electronic Reporting	(Chapter 962, Statutes of 1996)

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## Site Mitigation/Site Cleanup/Corrective Action:

AB 483	Alpert	Hazardous Waste Facility Permit Exemptions	(Chapter 625, Statutes of 1995)
AB 602	Ducheny	Recovery of Treble Damages by RWQCBs	(Failed Passage)
AB 1060	Richter	Hazardous Waste Staging in Waste Piles	(Chapter 627, Statutes of 1995)
AB 1096	Ducheny	Groundwater Reclamation and Protection Act	(Failed Passage)
AB 1651	Richter	DTSC Indirect Rate Task Force Codification	(Chapter 576, Statutes of 1996)
<u>AB 1876</u>	<u>Richter</u>	<u>Private Site Management Program</u>	<u>(Chapter 820, Statutes of 1995)</u>
AB 1962	Figueroa	Hazardous Waste Cleanup Authority	(Chapter 629, Statutes of 1995)
AB 2163	Rainey	Funding for ASARCO Cleanup	(Failed Passage)
AB 2173	Margett	San Gabriel Water Quality Authority Act	(Chapter 281, Statutes of 1996)
AB 3045	Olberg	CEQA Requirements for DoD Facilities	(Failed Passage)
AB 3198	Rainey	Hazardous Waste Consolidation Sites	(Failed Passage)
AB 3442	Sweeney	Cleanup of Unclaimed Property	(Failed Passage)
SB 324	Calderon	Environmental Responsibility Acceptance Act	(Vetoed)
SB 917	Kelley	Standardized Cleanup Procedures	(Failed Passage)
SB 1593	Solis	Funding for Richwood Water Company	(Failed Passage)
SB 1598	Wright	Postponement of Phase I Environmental Assessment Requirement	(Failed Passage)
<u>SB 1191</u>	<u>Calderon</u>	<u>Unified Program Jurisdiction and Responsibilities</u>	<u>(Chapter 639, Statutes of 1995)</u>
SB 1222	Calderon	Hazardous Waste Management Reform Act	(Chapter 638, Statutes of 1995)
SB 1248	O'Connell	Local Officer Oversight of Cleanups	(Chapter 671, Statutes of 1995)
<u>SB 1319</u>	<u>Calderon</u>	<u>State Superfund Extension</u>	<u>(Chapter 678, Statutes of 1995)</u>
SB 18	Senate Committee on Appropriations	Payment of Judgements & Settlement Claims against the State of California	(Chapter 702, Statutes of 1996)
SB 649	Costa	Water Pollution	(Chapter 1122, Statutes of 1996)
SB 1285	Killea	Lender Liability	(Chapter 612, Statutes of 1996)
SB 1425	Kelley	Local Oversight of Redevelopment Agency Cleanups	(Chapter 623, Statutes of 1996)
SB 1648	Wright	Petroleum Contaminated Debris	(Chapter 214, Statutes of 1996)
SB 1757	Calderon	SB 923 Arbitration Costs; Variances	(Chapter 632, Statutes of 1996)
SB 1648	Wright	Petroleum Contaminated Debris	(Chapter 214, Statutes of 1996)

## Solid Waste/Source Reduction/Waste Minimization:

AB 59	Sher	Solid Waste Management Facilities (Urgency)	(Chapter 952, Statutes of 1995)
AB 468	Vasconcellos	Hazardous Waste Source Reduction	(Failed Passage)
AB 1956	Sher	Recision of Hazardous Waste Reduction Internship Pilot Program	(Failed Passage)

## Storage Tanks (Above and Underground):

AB 204	Cannella	Above Ground Spill Reporting Requirements	(Chapter 155, Statutes of 1995)
AB 437	Morrow	Oil-Filled Electrical Equipment	(Chapter 626, Statutes of 1995)
AB 1434	Firestone	Underground Storage Tank Loan Program	(Chapter 814, Statutes of 1995)
SB 1135	Costa	Hazardous Waste Storage and Variances	(Chapter 636, Statutes of 1995)

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## Tiered Permitting:

AB 1966	Figueroa	Spent Copper Cleaners and Conditioners	(Chapter 631, Statutes of 1995)
SB 289	Wright	Transportable Treatment Units	(Chapter 423, Statutes of 1995)
<u>SB 1191</u>	<u>Calderon</u>	<u>Unified Program Jurisdiction and Responsibilities</u>	<u>(Chapter 639, Statutes of 1995)</u>
SB 1222	Calderon	Hazardous Waste Management Reform Act	(Chapter 638, Statutes of 1995)
<u>SB 1291</u>	<u>Wright</u>	<u>Hazardous Waste Facility Permit Applicability</u>	<u>(Chapter 640, Statutes of 1995)</u>
SB 1532	Wright	Generator Fee Exemption	(Chapter 259, Statutes of 1996)
SB 1598	Wright	Postponement of Phase I Environmental Assessment Requirement	(Failed Passage)

## Transportation:

AB 740	Kuykendahl	Hazardous Waste Transportation	(Failed Passage)
<u>AB 1245</u>	<u>Frusetta</u>	<u>Exempt Hazardous Waste Transfer Facilities</u>	<u>(Chapter 628, Statutes of 1995)</u>
AB 1683	Conroy	Motor Carrier Regulation	(Chapter 1042, Statutes of 1996)
<u>AB 2201</u>	<u>House</u>	<u>Cargo Tank &amp; Hazardous Waste Transporter Inspections</u>	<u>(Chapter 539, Statutes of 1996)</u>
AB 3198	Rainey	Hazardous Waste Consolidation Sites	(Failed Passage)
SB 364	Wright	Household Hazardous Waste Transportation	(Chapter 195, Statutes of 1995)
SB 1063	Peace	Consolidation/Transportation of Remediation Wastes; Zinc	(Chapter 437, Statutes of 1996)
SB 1222	Calderon	Hazardous Waste Management Reform Act	(Chapter 638, Statutes of 1995)

## Treatment Standards/Land Disposal Restrictions:

AB 1540	Weggeland	Exempt Quantities for Treatability Studies	(Chapter 294, Statutes of 1995)
SB 1222	Calderon	Hazardous Waste Management Reform Act	(Chapter 638, Statutes of 1995)
SB 1757	Calderon	SB 923 Arbitration Costs; Variances	(Chapter 632, Statutes of 1996)

## Used Oil/Oil/Oily Waste:

AB 437	Morrow	Oil-Filled Electrical Equipment	(Chapter 626, Statutes of 1995)
AB 483	Alpert	Hazardous Waste Facility Permit Exemptions	(Chapter 625, Statutes of 1995)
AB 1103	Sher	Oil Recycling Fund	(Chapter 822, Statutes of 1995)
<u>AB 1245</u>	<u>Frusetta</u>	<u>Exempt Hazardous Waste Transfer Facilities</u>	<u>(Chapter 628, Statutes of 1995)</u>
AB 2559	Setencich	Dielectric Fluid Management	(Vetoed)
SB 130	Costa	Recovery and Recycling of Used Oil	(Chapter 632, Statutes of 1995)
SB 289	Wright	Transportable Treatment Units	(Chapter 423, Statutes of 1995)
SB 1648	Wright	Petroleum Contaminated Debris	(Chapter 214, Statutes of 1996)
SB 1979	O'Connell	Used Oil: Hazardous Waste Presumption	(Chapter 901, Statutes of 1996)



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## Waste Classification:

AB 644	Richter	Hazardous Waste Identification Systems	(Failed Passage)
AB 1909	Campbell	Cement Kiln Dust	(Failed Passage)
AB 1965	Figueroa	Treated Wood Waste Exemption	(Chapter 670, Statutes of 1995)
AB 2102	Rainey	Exemption for Gypsum Substitutes	(Failed Passage)
AB 2304	Firestone	Modification to Definition of Hazardous Waste	(Failed Passage)
SB 206	Kelley	Cementitious Material: Testing and Management	(Chapter 847, Statutes of 1995)
SB 651	Wright	Non-Certified Hazardous Waste Testing Laboratories	(Chapter 301, Statutes of 1995)
SB 1002	Dills	Hazardous Waste Classification	(Failed Passage)
SB 1063	Peace	Consolidation/Transportation of Remediation Wastes; Zinc	(Chapter 437, Statutes of 1996)
SB 1133	Wright	Waste Classification Regulations Review	(Failed Passage)
SB 1222	Calderon	Hazardous Waste Management Reform Act	(Chapter 638, Statutes of 1995)
SB 1648	Wright	Petroleum Contaminated Debris	(Chapter 214, Statutes of 1996)
SB 1706	Wright	Variance Authority; Biomass Ash; Interim Status; Electronic Reporting	(Chapter 962, Statutes of 1996)
SB 1966	Wright	Waste Pharmaceuticals	(Chapter 536, Statutes of 1996)

## Water Quality

AB 602	Ducheny	Recovery of Treble Damages by RWQCBs	(Failed Passage)
AB 1096	Ducheny	Groundwater Reclamation and Protection Act	(Failed Passage)
AB 2937	Brulte	“Fix-it” Tickets for Air and Water Quality Violations	(Chapter 775, Statutes of 1996)
SB 649	Costa	Water Pollution	(Chapter 1122, Statutes of 1996)
SB 1648	Wright	Petroleum Contaminated Debris	(Chapter 214, Statutes of 1996)
SB 1620	Wright	Waste Discharge Requirements: Publicly Owned Treatment Works	(Failed Passage)

## Wood/Wood Waste:

AB 450	Hauser	Use of Creosote Treated Wood	(Failed Passage)
AB 1822	Richter	Exemption of Kraft Pulpig Liquors	(Chapter 401, Statutes of 1995)
AB 1965	Figueroa	Treated Wood Waste Exemption	(Chapter 670, Statutes of 1995)